

1-1 By: Campbell S.B. No. 2245
 1-2 (In the Senate - Filed March 16, 2017; April 3, 2017, read
 1-3 first time and referred to Committee on Intergovernmental
 1-4 Relations; April 26, 2017, reported favorably by the following
 1-5 vote: Yeas 6, Nays 0; April 26, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Lucio	X			
1-8 Bettencourt	X			
1-9 Campbell	X			
1-10 Garcia	X			
1-11 Huffines	X			
1-12 Menéndez			X	
1-13 Taylor of Collin	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the creation of the North Hays County Municipal Utility
 1-18 District No. 2; granting a limited power of eminent domain;
 1-19 providing authority to issue bonds; providing authority to impose
 1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-23 Code, is amended by adding Chapter 7988 to read as follows:

1-24 CHAPTER 7988. NORTH HAYS COUNTY MUNICIPAL UTILITY DISTRICT NO. 2
 1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 7988.001. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.
 1-28 (2) "Commission" means the Texas Commission on
 1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the North Hays County Municipal
 1-32 Utility District No. 2.

1-33 Sec. 7988.002. NATURE OF DISTRICT. The district is a
 1-34 municipal utility district created under Section 59, Article XVI,
 1-35 Texas Constitution.

1-36 Sec. 7988.003. CONFIRMATION AND DIRECTORS' ELECTION
 1-37 REQUIRED. The temporary directors shall hold an election to
 1-38 confirm the creation of the district and to elect five permanent
 1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 7988.004. CONSENT OF MUNICIPALITY REQUIRED. The
 1-41 temporary directors may not hold an election under Section 7988.003
 1-42 until each municipality in whose corporate limits or
 1-43 extraterritorial jurisdiction the district is located has
 1-44 consented by ordinance or resolution to the creation of the
 1-45 district and to the inclusion of land in the district.

1-46 Sec. 7988.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
 1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
 1-52 relate to the construction, acquisition, improvement, operation,
 1-53 or maintenance of macadamized, graveled, or paved roads, or
 1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 7988.006. INITIAL DISTRICT TERRITORY. (a) The
 1-56 district is initially composed of the territory described by
 1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
 1-59 the Act enacting this chapter form a closure. A mistake made in the
 1-60 field notes or in copying the field notes in the legislative process
 1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
 2-2 (2) right to issue any type of bond for the purposes
 2-3 for which the district is created or to pay the principal of and
 2-4 interest on a bond;
 2-5 (3) right to impose a tax; or
 2-6 (4) legality or operation.

2-7 SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 7988.051. GOVERNING BODY; TERMS. (a) The district is
 2-9 governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 7988.052, directors serve
 2-11 staggered four-year terms.

2-12 Sec. 7988.052. TEMPORARY DIRECTORS. (a) The temporary
 2-13 board consists of:

- 2-14 (1) Hillary Sotello;
 2-15 (2) Paul Byars;
 2-16 (3) Meghan Skornia;
 2-17 (4) Bailey Harrington; and
 2-18 (5) Kevin Howard.

2-19 (b) Temporary directors serve until the earlier of:

- 2-20 (1) the date permanent directors are elected under
 2-21 Section 7988.003; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 7988.003 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

- 2-29 (1) the date permanent directors are elected under
 2-30 Section 7988.003; or
 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

2-40 SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 7988.101. GENERAL POWERS AND DUTIES. The district has
 2-42 the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 7988.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 7988.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 7988.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-56 road project must meet all applicable construction standards,
 2-57 zoning and subdivision requirements, and regulations of each
 2-58 municipality in whose corporate limits or extraterritorial
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards,
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 7988.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 2-69 OR RESOLUTION. The district shall comply with all applicable

3-1 requirements of any ordinance or resolution that is adopted under
3-2 Section 54.016 or 54.0165, Water Code, and that consents to the
3-3 creation of the district or to the inclusion of land in the
3-4 district.

3-5 Sec. 7988.106. DIVISION OF DISTRICT. (a) The district may
3-6 be divided into two or more new districts only if:

3-7 (1) the district has no outstanding bonded debt; and

3-8 (2) the district is not imposing ad valorem taxes.

3-9 (b) This chapter applies to any new district created by the
3-10 division of the district, and a new district has all the powers and
3-11 duties of the district.

3-12 (c) Any new district created by the division of the district
3-13 may not, at the time the new district is created, contain any land
3-14 outside the area described by Section 2 of the Act creating this
3-15 chapter.

3-16 (d) The board, on its own motion or on receipt of a petition
3-17 signed by the owner or owners of a majority of the assessed value of
3-18 the real property in the district, may adopt an order dividing the
3-19 district.

3-20 (e) The board may adopt an order dividing the district
3-21 before or after the date the board holds an election under Section
3-22 7988.003 to confirm the creation of the district.

3-23 (f) An order dividing the district shall:

3-24 (1) name each new district;

3-25 (2) include the metes and bounds description of the
3-26 territory of each new district;

3-27 (3) appoint temporary directors for each new district;

3-28 and

3-29 (4) provide for the division of assets and liabilities
3-30 between or among the new districts.

3-31 (g) On or before the 30th day after the date of adoption of
3-32 an order dividing the district, the district shall file the order
3-33 with the commission and record the order in the real property
3-34 records of each county in which the district is located.

3-35 (h) Any new district created by the division of the district
3-36 shall hold a confirmation and directors' election as required by
3-37 Section 7988.003.

3-38 (i) If the creation of the new district is confirmed, the
3-39 new district shall provide the election date and results to the
3-40 commission.

3-41 (j) Any new district created by the division of the district
3-42 must hold an election as required by this chapter to obtain voter
3-43 approval before the district may impose a maintenance tax or issue
3-44 bonds payable wholly or partly from ad valorem taxes.

3-45 (k) Municipal consent to the creation of the district and to
3-46 the inclusion of land in the district granted under Section
3-47 7988.004 acts as municipal consent to the creation of any new
3-48 district created by the division of the district and to the
3-49 inclusion of land in the new district.

3-50 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-51 Sec. 7988.151. ELECTIONS REGARDING TAXES OR BONDS.

3-52 (a) The district may issue, without an election, bonds and other
3-53 obligations secured by:

3-54 (1) revenue other than ad valorem taxes; or

3-55 (2) contract payments described by Section 7988.153.

3-56 (b) The district must hold an election in the manner
3-57 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-58 before the district may impose an ad valorem tax or issue bonds
3-59 payable from ad valorem taxes.

3-60 (c) The district may not issue bonds payable from ad valorem
3-61 taxes to finance a road project unless the issuance is approved by a
3-62 vote of a two-thirds majority of the district voters voting at an
3-63 election held for that purpose.

3-64 Sec. 7988.152. OPERATION AND MAINTENANCE TAX. (a) If
3-65 authorized at an election held under Section 7988.151, the district
3-66 may impose an operation and maintenance tax on taxable property in
3-67 the district in accordance with Section 49.107, Water Code.

3-68 (b) The board shall determine the tax rate. The rate may not
3-69 exceed the rate approved at the election.

4-1 Sec. 7988.153. CONTRACT TAXES. (a) In accordance with
4-2 Section 49.108, Water Code, the district may impose a tax other than
4-3 an operation and maintenance tax and use the revenue derived from
4-4 the tax to make payments under a contract after the provisions of
4-5 the contract have been approved by a majority of the district voters
4-6 voting at an election held for that purpose.

4-7 (b) A contract approved by the district voters may contain a
4-8 provision stating that the contract may be modified or amended by
4-9 the board without further voter approval.

4-10 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-11 Sec. 7988.201. AUTHORITY TO ISSUE BONDS AND OTHER
4-12 OBLIGATIONS. The district may issue bonds or other obligations
4-13 payable wholly or partly from ad valorem taxes, impact fees,
4-14 revenue, contract payments, grants, or other district money, or any
4-15 combination of those sources, to pay for any authorized district
4-16 purpose.

4-17 Sec. 7988.202. TAXES FOR BONDS. At the time the district
4-18 issues bonds payable wholly or partly from ad valorem taxes, the
4-19 board shall provide for the annual imposition of a continuing
4-20 direct ad valorem tax, without limit as to rate or amount, while all
4-21 or part of the bonds are outstanding as required and in the manner
4-22 provided by Sections 54.601 and 54.602, Water Code.

4-23 Sec. 7988.203. BONDS FOR ROAD PROJECTS. At the time of
4-24 issuance, the total principal amount of bonds or other obligations
4-25 issued or incurred to finance road projects and payable from ad
4-26 valorem taxes may not exceed one-fourth of the assessed value of the
4-27 real property in the district.

4-28 SECTION 2. The North Hays County Municipal Utility District
4-29 No. 2 initially includes all the territory contained in the
4-30 following area:

4-31 TRACT 1

4-32 DESCRIPTION OF 156.881 ACRES LAND IN THE M.M. MCCARVER SURVEY
4-33 NO. 4, ABSTRACT NO. 10, HAYS COUNTY, TEXAS; BEING A PORTION OF A
4-34 CERTAIN CALLED 983.99 ACRE TRACT OF LAND DESIGNATED AS TRACT 2 AND
4-35 DESCRIBED IN THE DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF
4-36 RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS
4-37 COUNTY, TEXAS; SAID 156.881 ACRES OF LAND AS SURVEYED BY BOWMAN
4-38 CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES
4-39 AND BOUNDS AS FOLLOWS:

4-40 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
4-41 "LAI" previously set in the west right-of-way line of that certain
4-42 Union Pacific Railroad right-of-way described in the deed to
4-43 International & Great Northern Railroad Company of record in Volume
4-44 H, Page 22, Deed Records of Hays County, Texas, in the east line of
4-45 the said 983.99 acre tract, for the northeast corner of that certain
4-46 called 0.576 acre tract designated as Tract 4 and described in the
4-47 deed to the City of Kyle, Texas of record in Volume 3220, Page 508,
4-48 Official Public Records of Hays County, Texas, being the north
4-49 right-of-way line of Kohlers Crossing, a variable-width
4-50 right-of-way, for the southerly southeast corner and POINT OF
4-51 BEGINNING of the tract described herein;

4-52 THENCE leaving the west right-of-way line of the said Union
4-53 Pacific Railroad right-of-way, with the north right-of-way line of
4-54 said Kohlers Crossing, with the north line of the said 0.576 acre
4-55 tract, and with the south line of the tract described herein, the
4-56 following two (2) courses and distances:

4-57 1. S 88°53'49" W, a distance of 1,304.72 feet to a 1/2-inch iron rod
4-58 with a plastic cap stamped "Loomis" previously set for an angle
4-59 point, and

4-60 2. S 88°49'05" W, a distance of 332.13 feet to a 1/2-inch iron rod
4-61 with a plastic cap stamped "LAI" previously set at the intersection
4-62 of the north right-of-way line of said Kohlers Crossing and the east
4-63 right-of-way line of Kyle Parkway, at the southeast corner of a
4-64 certain called 28.91 acre tract described in the dedication of
4-65 public right-of-way to the City of Kyle, Texas of record in Volume
4-66 4122, Page 67, Official Public Records of Hays County, Texas, for
4-67 the southerly southwest corner of the tract described herein;

4-68 THENCE leaving the north right-of-way line of said Kohlers
4-69 Crossing, with the east right-of-way line of said Kyle Parkway,

5-1 crossing the said 983.99 acre tract, with the east line of the said
5-2 28.91 acre tract, with the west line of the tract described herein,
5-3 the following four (4) courses and distances:
5-4 1. N 47°23'20" W, a distance of 50.34 feet to a 1/2-inch iron rod
5-5 with a plastic cap stamped "LAI" previously set for an angle point,
5-6 for the westerly southwest corner of the tract described herein,
5-7 2. N 03°39'40" W, a distance of 355.98 feet to a 1/2-inch iron rod
5-8 with a plastic cap stamped "LAI" previously set for a
5-9 point-of-curvature,
5-10 3. with the arc of a curve to the right, having a radius of
5-11 2,764.78 feet, an arc distance of 355.80 feet, and a chord which
5-12 bears N 00°01'17" E, a distance of 355.55 feet to a 1/2-inch iron rod
5-13 with a plastic cap stamped "LAI" previously set for a
5-14 point-of-tangency, and
5-15 4. N 03°42'29" E, a distance of 1,223.27 feet to a calculated point
5-16 for the south corner of a certain called 0.931 acre tract designated
5-17 as Parcel 4 and described in the deed to the City of Kyle, Texas of
5-18 record in Volume 4122, Page 86, Official Public Records of Hays
5-19 County, Texas, for an angle point in the west line of the tract
5-20 described herein, from which a Texas Department of Transportation
5-21 (TxDOT) Type 2 right-of-way monument (brass disk in concrete) found
5-22 bears N 13°25' E, a distance of 0.38 feet;

5-23 THENCE continuing across the said 983.99 acre tract, with the
5-24 east right-of-way line of said Kyle Parkway, with the east line of
5-25 the said 0.931 acre tract, and with the west line of the tract
5-26 described herein, the following three (3) courses and distances:
5-27 1. N 08°32'06" E, a distance of 238.83 feet to a Texas Department of
5-28 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
5-29 concrete) found at an angle point,
5-30 2. N 03°43'16" E, a distance of 464.30 feet to a Texas Department of
5-31 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
5-32 concrete) found at a point-of-curvature, and
5-33 3. with the arc of a curve to the left, having a radius 2,984.79
5-34 feet, an arc distance of 864.55 feet, and a chord which bears N
5-35 04°35'15" W, a distance of 861.53 feet to a calculated point for the
5-36 northwest corner of the tract described herein, from which a Texas
5-37 Department of Transportation (TxDOT) Type 2 right-of-way monument
5-38 (brass disk in concrete) found at a point-of-tangency in the east
5-39 right-of-way line of said Kyle Parkway and the east line of the said
5-40 0.931 acre tract bears with the arc of a curve to the left, having a
5-41 radius of 2,984.79 feet, an arc distance of 451.18 feet, and a chord
5-42 which bears N 17°12'57" W, a distance of 450.75 feet;

5-43 THENCE leaving the east right-of-way line of said Kyle
5-44 Parkway and the east line of the said 0.931 acre tract, crossing the
5-45 said 983.99 acre tract, with the north line of the tract described
5-46 herein, the following seven (7) courses and distances:
5-47 1. N 78°54'52" E, a distance of 599.41 feet to a calculated angle
5-48 point,
5-49 2. N 84°23'20" E, a distance of 307.89 feet to a calculated angle
5-50 point,
5-51 3. N 89°38'16" E, a distance of 365.98 feet to a calculated angle
5-52 point,
5-53 4. S 79°24'43" E, a distance of 289.83 feet to a calculated angle
5-54 point,
5-55 5. S 63°16'05" E, a distance of 339.74 feet to a calculated angle
5-56 point,
5-57 6. S 70°05'41" E, a distance of 312.86 feet to a calculated angle
5-58 point, and
5-59 7. S 70°11'42" E, a distance of 218.01 feet to a calculated point in
5-60 the west right-of-way line of the said Union Pacific Railroad and
5-61 the east line of the said 983.99 acre tract, for the northeast
5-62 corner of the tract described herein, from which a 1/2-inch iron rod
5-63 found in the west right-of-way line of the said Union Pacific
5-64 Railroad at the northeast corner of the said 983.99 acre tract, at
5-65 the southeast corner of a certain called 151.960 acre tract
5-66 described in a deed to Flint Hills Resources Central Texas, LLC of
5-67 record in Document No. 2015-15008284, Official Public Records of
5-68 Hays County, Texas, bears N 13°28'48" E, a distance of 1,692.66
5-69 feet;

6-1 THENCE S 13°28'48" W, with the west right-of-way line of the
 6-2 said Union Pacific Railroad and the east line of the said 983.99
 6-3 acre tract, with an east line of the tract described herein, a
 6-4 distance of 781.12 feet to a calculated point at the northeast
 6-5 corner of that certain tract of land dedicated to the International
 6-6 & Great Northern Railroad of record in Volume N, Page 428, Deed
 6-7 Records of Hays County, Texas, for the southeast corner of the tract
 6-8 described herein, from which a 1/2-inch iron rod found bears S
 6-9 88°18' W, a distance of 0.23 feet;

6-10 THENCE with the north and west right-of-way line of the said
 6-11 Union Pacific Railroad, same being the said International & Great
 6-12 Northern Railroad of record in Volume N, Page 428, Deed Records of
 6-13 Hays County, Texas, and a south and east line of the said 983.99
 6-14 acre tract, with a south and east line of the tract described
 6-15 herein, the following two (2) courses and distances:

6-16 1. S 88°17'16" W, a distance of 378.46 feet to a 1/2-inch iron rod
 6-17 found at the northwest corner of the said International & Great
 6-18 Northern Railroad tract, at a re-entrant corner of the said 983.99
 6-19 acre tract, for a re-entrant corner of the tract described herein,
 6-20 and

6-21 2. S 00°43'41" E, a distance of 1,693.36 feet to a calculated point
 6-22 in the west right-of-way line of the said Union Pacific Railroad
 6-23 right-of-way, at the south corner of the said International & Great
 6-24 Northern Railroad tract, at an angle point in the east line of the
 6-25 said 983.99 acre tract, for an angle point in the east line of the
 6-26 tract described herein;

6-27 THENCE S 13°28'03" W, with the west right-of-way line of the
 6-28 said Union Pacific Railroad and the east line of the said 983.99
 6-29 acre tract, with the east line of the tract described herein, a
 6-30 distance of 811.29 feet to the POINT OF BEGINNING and containing
 6-31 156.881 acres of land, more or less.

6-32 BEARING BASIS: Texas Coordinate System, South Central Zone,
 6-33 NAD83, Grid.

6-34 TRACT 2

6-35 DESCRIPTION OF 105.19 ACRES OF LAND IN THE JOHN COOPER
 6-36 SURVEY NO. 13, A-100, THE JESSE DAY SURVEY NO. 162, A-152, AND
 6-37 THE JESSE DAY SURVEY, A-159, HAYS COUNTY, TEXAS; BEING A
 6-38 PORTION OF THAT CERTAIN CALLED 185.77 ACRES OF LAND
 6-39 DESIGNATED AS TRACT 4 OF EXHIBIT "A" DESCRIBED IN THE DEED TO
 6-40 MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139,
 6-41 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 105.19
 6-42 ACRES OF LAND, AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD.,
 6-43 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
 6-44 FOLLOWS:

6-45 BEGINNING at a 1/2-inch iron rod with plastic cap
 6-46 stamped "LOOMIS" previously set in the south right-of-way
 6-47 line of Kohlers Crossing (Hays County Road No. 171), a
 6-48 varying width right-of-way, in the east line of that certain
 6-49 40-foot wide tract of land described in the deed to
 6-50 International and Great Northern Railroad Company of record
 6-51 in Volume H, Page 25, Deed Records of Hays County, Texas,
 6-52 being 20-ft east of the centerline of the railroad track, for
 6-53 the southwest corner of a certain called 0.498 of one acre
 6-54 tract designated as Parcel 5, Tract 1 and described in
 6-55 Exhibit A in the deed to the City of Kyle, Texas of record in
 6-56 Volume 3218, Page 810, Official Public Records of Hays
 6-57 County, Texas, for the northwest corner and POINT OF
 6-58 BEGINNING of the tract described herein;

6-59 THENCE N 88° 52' 31" E, with the south right-of-way line
 6-60 of said Kohlers Crossing and the south line of the said 1.845
 6-61 acre tract, with the north line of the tract described
 6-62 herein, a distance of 1,117.83 feet to a 1/2-inch iron rod
 6-63 with plastic cap stamped "BCG" set for the northwest corner
 6-64 of Lot 1, Block A, Plum Creek Phase I, Lot 1, Block A Business
 6-65 Park, a subdivision according to the plat of record in
 6-66 Cabinet 14, Slides 34-35, Plat Records of Hays County, Texas,
 6-67 and for the southwest corner of a certain called 0.187 of one
 6-68 acre tract described in the deed to Plum Creek Development
 6-69 Partners, Ltd. of record in Volume 3145, Page 369, Official

7-1 Public Records of Hays County, Texas and dedicated as
7-2 right-of-way in the said Plum Creek Phase I, Lot 1, Block A
7-3 Business Park plat, for the northerly northeast corner of the
7-4 tract described herein;

7-5 THENCE leaving the south right-of-way line of said
7-6 Kohlers Crossing, with the west and south lines of said Lot 1,
7-7 Block A, Plum Creek Phase I, Lot 1, Block A Business Park,
7-8 with the an east and north line of the tract described herein,
7-9 the following two (2) courses and distances:

7-10 1. S 01° 07' 29" E. a distance of 669.00 feet to a 1/2-inch
7-11 iron rod with plastic cap stamped "LAI" previously set for
7-12 the southwest corner of said Lot 1, Block A, Plum Creek Phase
7-13 I, Lot 1, Block A Business Park, and for a re-entrant corner
7-14 of the tract described herein, and

7-15 2. N 88° 52' 31" E, a distance of 326.00 feet to a 1/2-inch
7-16 iron rod with plastic cap stamped "LOOMIS" previously set in
7-17 the west line of a certain called 3.239 acre tract described
7-18 in the deed to Plum Creek Development Partners, LTD. of
7-19 record in Volume 3181, Page 307, Official Public Records of
7-20 Hays County, Texas, same being the west right-of-way line of
7-21 Marketplace Avenue, an 80-foot right-of-way, as shown on the
7-22 said Plum Creek Phase I, Lot 1, Block A Business Park plat,
7-23 for the southeast corner of said Lot 1, Block A, Plum Creek
7-24 Phase I, Lot 1, Block A Business Park, for the easterly
7-25 northeast corner of the tract described herein;

7-26 THENCE S 01° 07' 29" E, with the west right-of-way line
7-27 of said Marketplace Avenue and the west line of the said 3.239
7-28 acre tract, with the east line of the tract described herein,
7-29 a distance of 1,106.69 feet to a 1/2-inch iron rod with
7-30 plastic cap stamped "LAI" previously set in the south line of
7-31 the said 185.77 acre tract and the northwest line of a certain
7-32 called 126.130 acre tract designated as Tract 1 and described
7-33 in the deed to Sheldon-Tanglewood, LTD. of record in Volume
7-34 2495, Page 677, Official Public Records of Hays County,
7-35 Texas, for the easterly southeast corner of the tract
7-36 described herein;

7-37 THENCE S 46° 04' 39" W, leaving the west right-of-way
7-38 line of said Marketplace Avenue, with the south line of the
7-39 said 185.77 acre tract and the northwest line of the said
7-40 126.130 acre tract, with the southeast line of the tract
7-41 described herein, at a distance of approximately 927.4 feet,
7-42 passing the west corner of the said 126.130 acre tract and the
7-43 north corner of a certain called 70.657 acre tract designated
7-44 as Kirkham Tract I and described in the deed to
7-45 Sheldon-Tanglewood, LTD. of record in Volume 2495, Page 658,
7-46 Official Public Records of Hays County, Texas, and continuing
7-47 with the south line of the said 185.77 acre tract and the
7-48 northwest line of the said 70.657 acre tract for a total
7-49 distance of 2,923.83 feet to a 1/2-inch iron rod with plastic
7-50 cap stamped "BCG" set in the northeast right-of-way line of
7-51 F.M. 1626, a varying-width right-of-way, for the east corner
7-52 of a certain called 0.04 acre tract described in the deed to
7-53 the City of Kyle, Texas of record in Volume 1871, Page 241,
7-54 Official Public Records of Hays County, Texas, and dedicated
7-55 as right-of-way in Exhibit A of record in Volume 4122, Page
7-56 67, Official Public Records of Hays County, Texas, and for
7-57 the northerly northwest corner of a certain called 9.20 acre
7-58 tract described in the deed to the City of Kyle, Texas of
7-59 record in Volume 2022, Page 363, Official Public Records of
7-60 Hays County, Texas, for the southerly southwest corner of the
7-61 tract described herein;

7-62 THENCE N 60° 06' 35" W, with the northeast right-of-way
7-63 line of said F.M. 1626 and the northeast line of the said 0.04
7-64 acre tract, with the southwest line of the tract described
7-65 herein, a distance of 44.60 feet to a 1/2-inch iron rod with
7-66 plastic cap stamped "LAI" previously set in the east line of
7-67 the said International and Great Northern Railroad Company
7-68 tract for the westerly southwest corner of the tract
7-69 described herein;

8-1 THENCE with the east line of the said International and
 8-2 Great Northern Railroad Company tract and the west line of
 8-3 the tract described herein, the following three (3) courses
 8-4 and distances:

- 8-5 1. N 09° 02' 18" E, a distance of 2,648.42 feet to a 1/2-inch
 8-6 iron rod with plastic cap stamped "LOOMIS" previously set for
 8-7 a point of curvature,
- 8-8 2. with an arc of a curve to the right, having a radius of
 8-9 7,380.00 feet, an arc distance of 575.74 feet and a chord
 8-10 which bears N 11° 16' 24" E, a distance of 575.59 feet to a
 8-11 1/2-inch iron rod with plastic cap stamped "LOOMIS"
 8-12 previously set for a point of tangency, and
- 8-13 3. N 13° 30' 30" E, a distance of 589.29 feet to the POINT OF
 8-14 BEGINNING and containing 105.19 acres of land more or less.

8-15 BEARING BASIS: Bearings recited herein are Texas Coordinate
 8-16 System, South Central Zone, NAD83, Grid.

8-17 TRACT 3

8-18 DESCRIPTION OF 23.676 ACRES LAND IN THE JOHN COOPER SURVEY
 8-19 NO. 13, A-100, THE JESSE DAY SURVEY NO. 162, A-152, AND THE JESSE
 8-20 DAY SURVEY, A-159, HAYS COUNTY, TEXAS; BEING A PORTION OF A CERTAIN
 8-21 CALLED 185.77 ACRES OF LAND DESCRIBED AS TRACT 4 OF EXHIBIT "A" IN A
 8-22 DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME
 8-23 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID
 8-24 23.676 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD.,
 8-25 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

8-26 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
 8-27 "LAI" previously set at the intersection of the south right-of-way
 8-28 line of Kohlers Crossing (County Road 171), a varying-width
 8-29 right-of-way, and the east right-of-way line of Marketplace Avenue,
 8-30 a 60-foot right-of-way, as shown on the Plum Creek Phase 1, Lot 1,
 8-31 Block A, Business Park plat of record in Cabinet 14, Pages 34-35,
 8-32 Plat Records of Hays County, Texas, same being the southwest corner
 8-33 of a certain called 1.347 acre tract designated as Parcel 5, Tract 2
 8-34 and described in Exhibit A in the deed to the City of Kyle, Texas of
 8-35 record in Volume 3218, Page 810, Official Public Records of Hays
 8-36 County, Texas, for the northwest corner and POINT OF BEGINNING of
 8-37 the tract described herein;

8-38 THENCE leaving the east right-of-way line of said Marketplace
 8-39 Avenue, with the south right-of-way line of said Kohlers Crossing,
 8-40 with the south line of the said 1.347 acre tract, and the north line
 8-41 of the tract described herein, the following three (3) courses and
 8-42 distances:

- 8-43 1. N 88°52'31" E, a distance of 699.00 feet to a 1/2-inch iron rod
 8-44 with a plastic cap stamped "LAI" previously set for a re-entrant
 8-45 corner of the said 1.347 acre tract, for the northerly northeast
 8-46 corner of the tract described herein,
- 8-47 2. S 01°07'29" E, a distance of 15.00 feet to a 1/2-inch iron rod
 8-48 with a plastic cap stamped "LAI" previously set for a southwest
 8-49 corner of the said 1.347 acre tract, for a re-entrant corner of the
 8-50 tract described herein, and
- 8-51 3. N 88°52'31" E, a distance of 125.82 feet to a calculated point
 8-52 for the easterly northeast corner of the tract described herein,
 8-53 from which a 1/2-inch iron rod with a plastic cap stamped "LAI"
 8-54 previously set for a southeast corner of the said 1.347 acre tract
 8-55 in the south right-of-way line of said Kohlers Crossing bears N
 8-56 88°52'31" E, a distance of 249.78 feet;

8-57 THENCE S 05°29'35" W, leaving the south right-of-way line of
 8-58 said Kohlers Crossing and the south line of the said 1.347 acre
 8-59 tract, crossing the said 185.77 acre tract, with the east line of
 8-60 the tract described herein, a distance of 1,040.89 feet to a
 8-61 1/2-inch iron rod found at an angle point in the south line of the
 8-62 said 185.77 acre tract, same being a north corner of a certain
 8-63 called 126.130 acre tract designated as Tract I and described in the
 8-64 deed to Sheldon - Tanglewood, Ltd. of record in Volume 2495, Page
 8-65 677, Official Public Records of Hays County, Texas, for the
 8-66 southeast corner of the tract described herein;

8-67 THENCE S 46°04'39" W, with a southeast line of the said 185.77
 8-68 acre tract and the northwest line of the said 126.130 acre tract,
 8-69 with the southeast line of the tract described herein, at a distance

9-1 of 899.28 feet, a 1/2-inch iron rod with a plastic cap stamped "MW
9-2 Cude" found bears S 43°55'14" E, a distance of 3.81 feet, and
9-3 continuing for a total distance of 960.62 feet to a 1/2-inch iron
9-4 rod with a plastic cap stamped "LAI" previously set for the
9-5 southeast terminus of said Marketplace Avenue, for the southwest
9-6 corner of the tract described herein;

9-7 THENCE N 01°07'29" W, leaving the northwest line of the said
9-8 126.130 acre tract, with the east right-of-way line of said
9-9 Marketplace Avenue, with the west line of the tract described
9-10 herein, a distance of 1,701.61 feet to the POINT OF BEGINNING and
9-11 containing 23.676 acres of land, more or less.

9-12 BEARING BASIS: Texas Coordinate System, South Central Zone,
9-13 NAD83, Grid.

9-14 TRACT 4

9-15 DESCRIPTION OF 46.400 ACRES LAND IN THE JOHN COOPER SURVEY
9-16 NO. 13, A-100, THE JESSE DAY SURVEY NO. 162, A-152, THE THOMAS ALLEN
9-17 SURVEY NO. 1, A-26, AND THE JOHN KING SURVEY NO. 20, A-276, HAYS
9-18 COUNTY, TEXAS; BEING A PORTION OF A CERTAIN CALLED 185.77 ACRES OF
9-19 LAND DESCRIBED AS TRACT 4 OF EXHIBIT "A" IN A DEED WITHOUT WARRANTY
9-20 TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL
9-21 PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING ALL OF A CERTAIN
9-22 CALLED 0.353 ACRE TRACT DESCRIBED IN THE DEED TO PLUM CREEK
9-23 DEVELOPMENT PARTNERS, LTD. OF RECORD IN VOLUME 2902, PAGE 563,
9-24 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 46.400 ACRES OF
9-25 LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD., BEING MORE
9-26 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

9-27 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
9-28 "LAI" previously set at the intersection of the west right-of-way
9-29 line of Hays County Road No. 210, also known as Dry Hole Road and as
9-30 Old State Highway No. 2, a variable-width right-of-way, and the
9-31 south right-of-way line of Kohlers Crossing, a variable-width
9-32 right-of-way, same being the southeast corner of a certain called
9-33 1.347 acre tract designated as Tract 2 and described in the deed to
9-34 the City of Kyle, Texas of record in Volume 3218, Page 810, Official
9-35 Public Records of Hays County, Texas, for the easterly northeast
9-36 corner and POINT OF BEGINNING of the tract described herein;

9-37 THENCE leaving the south right-of-way line of said Kohlers
9-38 Crossing, with the west right-of-way line of said Hays County Road
9-39 No. 210, and the east line of the said 185.77 acre tract, with the
9-40 east line of the tract described herein, the following three (3)
9-41 courses and distances:

9-42 1. S 00°25'18" W, at a distance of 7.98 feet, passing a 1/2-inch
9-43 iron rod with a plastic cap stamped "LAI" previously set for the
9-44 northeast corner of the said 0.353 acre tract, and continuing for a
9-45 total distance of 446.78 feet to a 1/2-inch iron rod with a plastic
9-46 cap stamped "LAI" previously set for an angle point,

9-47 2. S 08°52'40" W, a distance of 965.87 feet to a 1/2-inch iron rod
9-48 with a plastic cap stamped "LAI" previously set for an angle point,
9-49 and

9-50 3. S 13°43'40" W, a distance of 229.23 feet to a 1/2-inch iron rod
9-51 found at the southeast corner of the said 185.77 acre tract, the
9-52 southeast corner of the said 0.353 acre tract, the northeast corner
9-53 of a certain called 126.130 acre tract designated as Tract I and
9-54 described in the deed to Sheldon - Tanglewood, Ltd. of record in
9-55 Volume 2495, Page 677, Official Public Records of Hays County,
9-56 Texas, same being the northeast corner of a certain called 0.390
9-57 acre tract designated as Parcel No. 3 and described in the deed to
9-58 Hays County, Texas of record in Volume 2941, Page 666, Official
9-59 Public Records of Hays County, Texas, for the southeast corner of
9-60 the tract described herein;

9-61 THENCE leaving the west right-of-way line of said Hays County
9-62 Road No. 210, with a southwest line of the said 185.77 acre tract
9-63 and the northeast line of the said 126.130 acre tract, with the
9-64 south line of the tract described herein, the following two (2)
9-65 courses and distances:

9-66 1. N 67°09'34" W, at a distance of 12.20 feet, passing a 1/2-inch
9-67 iron rod with a plastic cap stamped "LAI" previously set for the
9-68 southwest corner of the said 0.353 acre tract and the northwest
9-69 corner of the said 0.390 acre tract, at a distance of 548.41 feet, a

10-1 1/2-inch iron rod with a plastic cap stamped "MW Cude" found bears S
 10-2 22°50'26" W, a distance of 1.48 feet, at a distance of 1,064.14 feet,
 10-3 a 1/2-inch iron rod with a plastic cap stamped "MW Cude" found bears
 10-4 S 22°50'26" W, a distance of 1.18 feet, and continuing for a total
 10-5 distance of 1,130.45 feet to a 60-d nail found in an old tree stump
 10-6 for an angle point in the south line of the tract described herein,
 10-7 and
 10-8 2. N 67°08'12" W, at a distance of 31.10 feet, a 1/2-inch iron rod
 10-9 with a plastic cap stamped "MW Cude" found bears S 22°51'48" W, a
 10-10 distance of 1.04 feet, and continuing for a total distance of 353.96
 10-11 feet to a 1/2-inch iron rod found at an angle point in the south line
 10-12 of the said 185.77 acre tract, same being the north corner of the
 10-13 said 126.130 acre tract, for the southwest corner of the tract
 10-14 described herein;

10-15 THENCE N 05°29'35" E, leaving the north line of the said
 10-16 126.130 acre tract, crossing the said 185.77 acre tract, with the
 10-17 west line of the tract described herein, a distance of 1,040.89 feet
 10-18 to a calculated point in the south right-of-way line of said Kohlers
 10-19 Crossing and the south line of the said 1.347 acre tract, for the
 10-20 westerly northwest corner of the tract described herein, from which
 10-21 a 1/2-inch iron rod with a plastic cap stamped "LAI" previously set
 10-22 for a southwest corner of the said 1.347 acre tract bears S 88°52'31"
 10-23 W, a distance of 125.83 feet;

10-24 THENCE with the south right-of-way line of said Kohlers
 10-25 Crossing, with the south line of the said 1.347 acre tract, with the
 10-26 north lines of the tract described herein, the following four (4)
 10-27 courses and distances:

- 10-28 1. N 88°52'31" E, a distance of 249.77 feet to a 1/2-inch iron rod
 10-29 with a plastic cap stamped "LAI" previously set for a southeast
 10-30 corner of the said 1.347 acre tract, for a re-entrant corner of the
 10-31 tract described herein,
- 10-32 2. N 01°07'29" W, a distance of 18.00 feet to a 1/2-inch iron rod
 10-33 with a plastic cap stamped "LAI" previously set for a re-entrant
 10-34 corner of the said 1.347 acre tract, for the northerly northwest
 10-35 corner of the tract described herein,
- 10-36 3. N 88°52'31" E, a distance of 1,191.46 feet to a 1/2-inch iron rod
 10-37 with a plastic cap stamped "LAI" previously set for an angle point
 10-38 of the said 1.347 acre tract, for the northerly northeast corner of
 10-39 the tract described herein, and
- 10-40 4. S 44°34'42" E, a distance of 49.09 feet to the POINT OF BEGINNING
 10-41 and containing 46.400 acres of land, more or less.

10-42 BEARING BASIS: Texas Coordinate System, South Central Zone,
 10-43 NAD83, Grid.

10-44 TRACT 5

10-45 DESCRIPTION OF 157.726 ACRES LAND IN THE M.M. MCCARVER SURVEY
 10-46 NO. 4, ABSTRACT NO. 10, HAYS COUNTY, TEXAS; BEING A PORTION OF A
 10-47 CERTAIN CALLED 983.99 ACRE TRACT OF LAND DESIGNATED AS TRACT 2 AND
 10-48 DESCRIBED IN THE DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF
 10-49 RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS
 10-50 COUNTY, TEXAS; SAID 157.726 ACRES OF LAND AS SURVEYED BY BOWMAN
 10-51 CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES
 10-52 AND BOUNDS AS FOLLOWS:

10-53 BEGINNING at a mag-nail previously set in the north line of
 10-54 the said 983.99 acre tract and the south line of a certain tract of
 10-55 land described in the deed to Texas-Lehigh Cement Company of record
 10-56 in Volume 609, Page 843, Real Property Records of Hays County,
 10-57 Texas, for the northeast corner of a certain called 28.91 acre tract
 10-58 described in the dedication of public right-of-way to the City of
 10-59 Kyle, Texas of record in Volume 4122, Page 67, Official Public
 10-60 Records of Hays County, Texas, same being the east right-of-way
 10-61 line of Kyle Parkway, a variable-width right-of-way, for the
 10-62 northwest corner and POINT OF BEGINNING of the tract described
 10-63 herein;

10-64 THENCE N 88°09'34" E, leaving the east right-of-way line of
 10-65 said Kyle Parkway, with the north line of the said 983.99 acre tract
 10-66 and the south line of the said Texas-Lehigh Cement Company tract,
 10-67 with the north line of the tract described herein, at a distance of
 10-68 1,870.26 feet, passing a calculated point for the southeast corner
 10-69 of the said Texas-Lehigh tract, same being the southwest corner of a

11-1 certain called 21.6 acre tract described in the deed to Hays County
 11-2 Youth Athletic Association of record in Volume 356, Page 294, Deed
 11-3 Records of Hays County, Texas, from which a 1/2-inch iron rod found
 11-4 bears N 01°34'50" W, 1.38 feet, and continuing with the south line of
 11-5 the said 21.6 acre tract for a total distance of 2,530.40 feet to a
 11-6 1/2-inch iron rod found at the northeast corner of the said 983.99
 11-7 acre tract and at the westerly northwest corner of a certain called
 11-8 151.960 acre tract described in a deed to Flint Hills Resources
 11-9 Central Texas, LLC of record in Document No. 2015-15008284,
 11-10 Official Public Records of Hays County, Texas, for the northerly
 11-11 northeast corner of the tract described herein;

11-12 THENCE with a west and south line of the said 151.960 acre
 11-13 tract, with an east and north line of the said 983.99 acre tract,
 11-14 with an east and north line of the tract described herein, the
 11-15 following two (2) courses and distances:

11-16 1. S 01°56'20" E, a distance of 1,296.09 feet to a cotton-gin
 11-17 spindle found at the southwest corner of the said 151.960 acre tract
 11-18 and at a re-entrant corner of the said 983.99 acre tract, for a
 11-19 re-entrant corner of the tract described herein, and

11-20 2. N 88°19'25" E, a distance of 1,023.18 feet to a 1/2-inch iron rod
 11-21 found in the west right-of-way line of that certain Union Pacific
 11-22 Railroad right-of-way described in the deed to the International &
 11-23 Great Northern Railroad Company of record in Volume H, Page 22, Deed
 11-24 Records of Hays County, Texas, for the northeast corner of the said
 11-25 983.99 acre tract, and the southeast corner of the said 151.960 acre
 11-26 tract, for the easterly northeast corner of the tract described
 11-27 herein;

11-28 THENCE S 13°28'48" W, leaving the south line of the said
 11-29 151.960 acre tract, with the west right-of-way line of the said
 11-30 Union Pacific Railroad and the east line of the said 983.99 acre
 11-31 tract, with an east line of the tract described herein, a distance
 11-32 of 1,692.66 feet to a calculated point for the southeast corner of
 11-33 the tract described herein, from which a calculated point in the
 11-34 west right-of-way line of the said Union Pacific Railroad at the
 11-35 northeast corner of that certain tract of land dedicated to the
 11-36 International & Great Northern Railroad of record in Volume N, Page
 11-37 428, Deed Records of Hays County, Texas, bears S 13°28'48" W, a
 11-38 distance of 781.12 feet, and from which a 1/2-inch iron rod found
 11-39 bears S 88°18' W, a distance of 0.23 feet;

11-40 THENCE leaving the west right-of-way line of the said Union
 11-41 Pacific Railroad, crossing the said 983.99 acre tract, with the
 11-42 south line of the tract described herein, the following seven (7)
 11-43 courses and distances:

11-44 1. N 70°11'42" W, a distance of 218.01 feet to a calculated angle
 11-45 point,

11-46 2. N 70°05'41" W, a distance of 312.86 feet to a calculated angle
 11-47 point,

11-48 3. N 63°16'05" W, a distance of 339.74 feet to a calculated angle
 11-49 point,

11-50 4. N 79°24'43" W, a distance of 289.83 feet to a calculated angle
 11-51 point,

11-52 5. S 89°38'16" W, a distance of 365.98 feet to a calculated angle
 11-53 point,

11-54 6. S 84°23'20" W, a distance of 307.89 feet to a calculated angle
 11-55 point, and

11-56 7. S 78°54'52" W, a distance of 599.41 feet to a calculated point in
 11-57 the east right-of-way line of said Kyle Parkway, same being the east
 11-58 line of a certain called 0.931 acre tract designated as Parcel 4 and
 11-59 described in the deed to the City of Kyle, Texas of record in Volume
 11-60 4122, Page 86, Official Public Records of Hays County, Texas, for
 11-61 the southwest corner of the tract described herein, from which a
 11-62 Texas Department of Transportation (TxDOT) Type 2 right-of-way
 11-63 monument (brass disk in concrete) found at a point-of-tangency in
 11-64 the east right-of-way line of said Kyle Parkway, and the said 0.931
 11-65 acre tract bears with the arc of a curve to the right, having a
 11-66 radius of 2,984.79 feet, an arc distance of 864.55 feet, and a chord
 11-67 which bears S 04°35'15" E, a distance of 861.53 feet;

11-68 THENCE continuing across the said 983.99 acre tract, with the
 11-69 east right-of-way line of said Kyle Parkway and the east line of the

12-1 said 0.931 acre tract, with the west line of the tract described
 12-2 herein, the following two (2) courses and distances:
 12-3 1. with the arc of a curve to the left, having a radius of 2,984.79
 12-4 feet, an arc distance of 451.18 feet, and a chord which bears N
 12-5 17°12'57" W, a distance of 450.75 feet to a Texas Department of
 12-6 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 12-7 concrete) found at a point-of-tangency, and
 12-8 2. N 26°47'39" W, a distance of 222.09 feet to a calculated point in
 12-9 the east line of the said 28.91 acre tract for the north corner of
 12-10 the said 0.931 acre tract, for an angle point in the west line of the
 12-11 tract described herein, from which a Texas Department of
 12-12 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 12-13 concrete) found bears S 26°19' E, a distance of 3.26 feet;

12-14 THENCE continuing across the said 983.99 acre tract, with the
 12-15 east right-of-way line of said Kyle Parkway and the east line of the
 12-16 said 28.91 acre tract, with the west line of the tract described
 12-17 herein, the following two (2) courses and distances:

12-18 1. N 21°32'51" W, a distance of 1,170.15 feet to a calculated
 12-19 point-of-curvature, from which a Texas Department of
 12-20 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 12-21 concrete) found bears N 22°04'05" E, a distance of 0.41 feet, and
 12-22 2. with the arc of a curve to the right, having a radius of
 12-23 2,764.78 feet, an arc distance of 898.49 feet, and a chord which
 12-24 bears N 12°14'15" W, a distance of 894.54 feet to the POINT OF
 12-25 BEGINNING and containing 157.726 acres of land, more or less.

12-26 BEARING BASIS: Texas Coordinate System, South Central Zone,
 12-27 NAD83, Grid.

12-28 TRACT 6

12-29 DESCRIPTION OF 133.892 ACRES LAND IN THE M.M. MCCARVER SURVEY
 12-30 NO. 4, ABSTRACT NO. 10, HAYS COUNTY, TEXAS; BEING A PORTION OF A
 12-31 CERTAIN CALLED 983.99 ACRE TRACT OF LAND DESIGNATED AS TRACT 2 AND
 12-32 DESCRIBED IN THE DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF
 12-33 RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS
 12-34 COUNTY, TEXAS, AND ALL OF A CERTAIN CALLED 5.207 ACRE TRACT
 12-35 DESCRIBED IN THE DEED TO MOUNTAIN PLUM, LTD. OF RECORD IN INSTRUMENT
 12-36 NO. 16029224, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID
 12-37 133.892 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD.,
 12-38 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

12-39 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
 12-40 "LAI" previously set at the intersection of the north right-of-way
 12-41 line of Kohlers Crossing (County Road No. 171), a variable width
 12-42 right-of-way, same being the north line of a called 1.171 acre tract
 12-43 of land designated as Parcel 3, Tract 1, and described in a deed to
 12-44 the City of Kyle, Texas, of record in Volume 3220, Page 508,
 12-45 Official Public Records of Hays County, Texas, and the west
 12-46 right-of-way line of Benner, a 70-foot wide right-of-way, as shown
 12-47 on the Plum Creek Phase II, Section 1A subdivision plat of record in
 12-48 Cabinet 14, Pages 225-226, Plat Records of Hays County, Texas, for
 12-49 the southerly southeast corner and POINT OF BEGINNING of the tract
 12-50 described herein;

12-51 THENCE with the north right-of-way line of said Kohlers
 12-52 Crossing, and the north line of the said 1.171 acre tract, with a
 12-53 south line of the tract described herein, the following four (4)
 12-54 courses and distances:

12-55 1. S 88°49'05" W, a distance of 32.70 feet to a 1/2-inch iron rod
 12-56 with a plastic cap stamped "LAI" previously set for an angle point,
 12-57 2. S 87°37'32" W, a distance of 488.02 feet to a 1/2-inch iron rod
 12-58 with a plastic cap stamped "BCG" previously set for an angle point,
 12-59 3. S 87°50'11" W, at a distance of 225.44 feet, passing a 1/2-inch
 12-60 iron rod with a plastic cap stamped "BCG" previously set for a
 12-61 point-on line, and continuing for a total distance of 252.78 feet to
 12-62 a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set
 12-63 for an angle point, and
 12-64 4. S 87°19'58" W, a distance of 27.10 feet to a 1/2-inch iron rod
 12-65 with a plastic cap stamped "BCG" previously set for the southerly
 12-66 southeast corner of a certain called 324.250 acre tract designated
 12-67 as Tract 1 and described in the deed to Lennar Homes of Texas Land
 12-68 and Construction, Ltd. of record in Instrument No. 16029226,
 12-69 Official Public Records of Hays County, Texas, for the southwest

13-1 corner of the tract described herein;

13-2 THENCE with the east and south lines of the said 324.250 acre
13-3 tract and the west and north lines of the tract described herein,
13-4 the following seven (7) courses and distances:

- 13-5 1. N 00°29'00" W, a distance of 715.18 feet to a 1/2-inch iron rod
13-6 with a plastic cap stamped "BCG" previously set for an angle point,
13-7 2. N 33°32'22" E, a distance of 340.44 feet to a 1/2-inch iron rod
13-8 with a plastic cap stamped "BCG" previously set for an angle point,
13-9 3. N 28°43'08" E, a distance of 349.81 feet to a 1/2-inch iron rod
13-10 with a plastic cap stamped "BCG" previously set for an angle point,
13-11 4. N 20°39'46" E, a distance of 412.04 feet to a 1/2-inch iron rod
13-12 with a plastic cap stamped "BCG" previously set for an angle point,
13-13 5. N 12°33'58" E, a distance of 413.82 feet to a 1/2-inch iron rod
13-14 with a plastic cap stamped "BCG" previously set for an angle point,
13-15 6. N 12°27'56" E, a distance of 448.13 feet to a 1/2-inch iron rod
13-16 with a plastic cap stamped "BCG" previously set for a re-entrant
13-17 corner, and
13-18 7. N 73°20'14" E, a distance of 4.89 feet to a calculated point for
13-19 an angle point in the east line of the said 324.250 acre tract, same
13-20 being the southwest corner of the said 5.207 acre tract, from which
13-21 a 1/2-inch iron rod with a plastic cap stamped "BCG" previously set
13-22 for an angle point in a south line of the said 5.207 acre tract bears
13-23 N 73°20'14" E, a distance of 708.44 feet;

13-24 THENCE with the east and west lines of the said 324.250 acre
13-25 tract, with the northwest and northeast lines of the said 5.207 acre
13-26 tract, with a northwest and northeast line of the tract described
13-27 herein, the following eight (8) courses and distances:

- 13-28 1. N 27°58'58" E, at a distance of 0.42 feet, passing a 1/2-inch
13-29 iron rod with a plastic cap stamped "CHAPARRAL BOUNDARY" found, and
13-30 continuing for a total distance of 4.93 feet to a 1/2-inch iron rod
13-31 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-32 point of the tract described herein,
13-33 2. N 45°36'55" E, a distance of 316.61 feet to a 1/2-inch iron rod
13-34 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-35 point,
13-36 3. N 43°07'49" E, a distance of 67.72 feet to a 1/2-inch iron rod
13-37 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-38 point,
13-39 4. N 60°11'22" E, a distance of 72.39 feet to a 1/2-inch iron rod
13-40 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-41 point,
13-42 5. N 54°50'52" E, a distance of 110.19 feet to a 1/2-inch iron rod
13-43 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-44 point,
13-45 6. N 44°44'47" E, a distance of 259.46 feet to a 1/2-inch iron rod
13-46 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-47 point,
13-48 7. N 47°53'10" E, a distance of 93.75 feet to a 1/2-inch iron rod
13-49 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at an angle
13-50 point, and
13-51 8. S 47°15'44" E, a distance of 538.63 feet to a to a 1/2-inch iron
13-52 rod with a plastic cap stamped "CHAPARRAL BOUNDARY" found at a
13-53 southwest corner of the said 324.250 acre tract, same being the
13-54 southeast corner of the said 5.207 acre tract, for an angle point in
13-55 the north line of the tract described herein;

13-56 THENCE N 82°22'26" E, with a south line of the said 324.250
13-57 acre tract, with the north line of the tract described herein, a
13-58 distance of 129.85 feet to a 1/2-inch iron rod with a plastic cap
13-59 stamped "CHAPARRAL BOUNDARY" found at the west corner of a certain
13-60 called 2.581 acre tract designated as Tract 4 and described in the
13-61 said deed to Lennar Homes of Texas Land and Construction of record
13-62 in Instrument No. 16029226, Official Public Records of Hays County,
13-63 Texas, for an angle point in the north line of the tract described
13-64 herein;

13-65 THENCE leaving a south line of the said 324.250 acre tract,
13-66 with the west and east lines of the said 2.581 acre tract, with a
13-67 northeast and northwest line of the tract described herein, the
13-68 following two (2) courses and distances:

- 13-69 1. S 47°15'44" E, a distance of 607.02 feet to a 1/2-inch iron rod

14-1 with a plastic cap stamped "CHAPARRAL BOUNDARY" found at the south
 14-2 corner of the said 2.581 acre tract, for an angle point in the north
 14-3 line of the tract described herein, and
 14-4 2. N 03°42'33" E, a distance of 476.77 feet to a 1/2-inch iron rod
 14-5 with a plastic cap stamped "BCG" previously set for the easterly
 14-6 southeast corner of the said 324.250 acre tract and the east corner
 14-7 of the said 2.581 acre tract, for a point-of-curvature in a west
 14-8 line of the tract described herein;

14-9 THENCE with an east line of the said 324.250 acre tract, with
 14-10 the west line of the tract described herein, with the arc of a curve
 14-11 to the left, having a radius of 2,264.79 feet, an arc distance of
 14-12 606.17 feet, and a chord which bears N 06°03'20" W, a distance of
 14-13 604.37 feet to a calculated point for the northerly northwest
 14-14 corner of the tract described herein, from which a 1/2-inch iron rod
 14-15 with a plastic cap stamped "BCG" previously set for a
 14-16 point-of-tangency in an east line of the said 324.250 acre tract
 14-17 bears with the arc of a curve to the left, having a radius of
 14-18 2,264.79 feet, an arc distance of 309.28 feet, and a chord which
 14-19 bears N 17°38'07" W, a distance of 309.04 feet;

14-20 THENCE N 79°43'41" E, crossing the said 983.99 acre tract,
 14-21 with a north line of the tract described herein, a distance of
 14-22 480.94 feet to a calculated point in the west line of a certain
 14-23 called 0.934 acre tract, designated as Parcel 1 and described in the
 14-24 deed to the City of Kyle, Texas of record in Volume 4122, Page 86,
 14-25 Official Public Records of Hays County, Texas, being west
 14-26 right-of-way line of Kyle Parkway (F.M. 1626) a variable width
 14-27 right-of-way, for the northeast corner of tract described herein,
 14-28 from which a Texas Department of Transportation (TxDOT) Type 2
 14-29 right-of-way monument (brass disk in concrete) found at a
 14-30 point-of-tangency in the west right-of-way line of said Kyle
 14-31 Parkway and the west line of the said 0.934 acre tract bears with
 14-32 the arc of a curve to the left, having a radius of 2,744.79 feet, an
 14-33 arc distance of 404.05 feet, and a chord which bears N 17°19'37" W, a
 14-34 distance of 403.69 feet;

14-35 THENCE with the west right-of-way line of said Kyle Parkway,
 14-36 with the west line of the said 0.934 acre tract, with the east line
 14-37 of the tract described herein, the following three (3) courses and
 14-38 distances:

14-39 1. with the arc of a curve to the right, having a radius of
 14-40 2,744.79 feet, an arc distance of 805.93 feet, and a chord which
 14-41 bears S 04°41'53" E, a distance of 803.04 feet to a Texas Department
 14-42 of Transportation (TxDOT) Type 2 right-of-way monument (brass disk
 14-43 in concrete) found at a point-of-tangency,
 14-44 2. S 03°42'13" W, a distance of 553.75 feet to a Texas Department of
 14-45 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 14-46 concrete) found at an angle point, and
 14-47 3. S 00°31'13" E, a distance of 269.62 feet to a calculated point in
 14-48 the west right-of-way line of said Kyle Parkway, same being the west
 14-49 line of a certain called 28.91 acre tract described in the
 14-50 dedication of public right-of-way to the City of Kyle, Texas of
 14-51 record in Volume 4122, Page 67, Official Public Records of Hays
 14-52 County, Texas, for the south corner of the said 0.934 acre tract,
 14-53 for an angle point in the east line of the tract described herein,
 14-54 from which a Texas Department of Transportation (TxDOT) Type 2
 14-55 right-of-way monument (brass disk in concrete) found bears S 00°31'
 14-56 E, a distance of 1.58 feet;

14-57 THENCE with the west right-of-way line of said Kyle Parkway,
 14-58 with the west line of the said 28.91 acre tract, with the east line
 14-59 of the tract described herein, the following three (3) courses and
 14-60 distances:

14-61 1. S 03°42'29" W, a distance of 1,102.95 feet to a Texas Department
 14-62 of Transportation (TxDOT) Type 2 right-of-way monument (brass disk
 14-63 in concrete) found at a point-of-curvature,
 14-64 2. with the arc of a curve to the left, having a radius of 2,964.78
 14-65 feet, an arc distance of 381.54 feet, and a chord which bears S
 14-66 00°01'17" W, a distance of 381.27 feet to a Texas Department of
 14-67 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 14-68 concrete) found at a point-of-tangency, and
 14-69 3. S 03°39'40" E, a distance of 61.49 feet to a calculated point for

15-1 the easterly southeast corner of the tract described herein, same
 15-2 being the northeast corner of a certain called 4.857 acre tract
 15-3 described in the deed to Plum Creek Development Partners, Ltd. of
 15-4 record in Volume 3337, Page 390, Official Public Records of Hays
 15-5 County, Texas, from which a Texas Department of Transportation
 15-6 (TxDOT) Type 2 right-of-way monument (brass disk in concrete) found
 15-7 at an angle point in the west right-of-way line of said Kyle Parkway
 15-8 and the west line of the said 28.91 acre tract, and the east line of
 15-9 the said 4.857 acre tract, bears S 03°39'40" E, a distance of 286.04
 15-10 feet;

15-11 THENCE leaving the west right-of-way line of said Kyle
 15-12 Parkway, crossing the said 983.99 acre tract, with the north line of
 15-13 the said 4.857 acre tract, with a south line of the tract described
 15-14 herein, the following four (4) courses and distances:

- 15-15 1. S 88°50'25" W, a distance of 124.99 feet to a calculated angle
 15-16 point,
- 15-17 2. N 82°24'53" W, a distance of 131.55 feet to a calculated angle
 15-18 point,
- 15-19 3. N 23°54'05" W, a distance of 85.73 feet to a calculated angle
 15-20 point, and
- 15-21 4. N 53°55'11" W, a distance of 100.89 feet to a calculated point in
 15-22 the southeast line of a certain called 1.2623 acre tract described
 15-23 in the deed to Hays Consolidated Independent School District of
 15-24 record in Volume 2029, Page 668, Official Public Records of Hays
 15-25 County, Texas, for the north corner of the said 4.857 acre tract,
 15-26 for a southwest corner of the tract described herein, from which a
 15-27 1/2-inch iron rod with a plastic cap stamped "BCG" previously set
 15-28 for an angle point in the south line of the said 1.2623 acre tract
 15-29 and the north line of the said 4.857 acre tract bears S 58°53'16" W,
 15-30 a distance of 127.50 feet;

15-31 THENCE with the east, north, and west lines of the said 1.2623
 15-32 acre tract, with the west, south, and east lines of the tract
 15-33 described herein, the following five (5) courses and distances:

- 15-34 1. N 58°53'16" E, a distance of 29.92 feet to a 1/2-inch iron rod
 15-35 with a plastic cap stamped "BCG" previously set for an angle point,
- 15-36 2. N 01°06'44" W, a distance of 172.58 feet to a 1/2-inch iron rod
 15-37 with a plastic cap stamped "BCG" previously set for an angle point,
- 15-38 3. N 61°06'44" W, a distance of 157.42 feet to a 1/2-inch iron rod
 15-39 with a plastic cap stamped "BCG" previously set for an angle point,
- 15-40 4. S 88°53'16" W, a distance of 62.13 feet to a 1/2-inch iron rod
 15-41 with a plastic cap stamped "BCG" previously set for the northwest
 15-42 corner of the said 1.2623 acre tract, for a re-entrant corner of the
 15-43 tract described herein, and
- 15-44 5. S 01°06'44" E, a distance of 69.54 feet to a 1/2-inch iron rod
 15-45 with a plastic cap stamped "LAI" previously set in the west line of
 15-46 the said 1.2623 acre tract, for the northeast corner of a certain
 15-47 called 0.0606 acre tract described in the deed to Hays Consolidated
 15-48 Independent School District of record in Volume 2857, Page 753,
 15-49 Official Public Records of Hays County, Texas, for a southeast
 15-50 corner of the tract described herein;

15-51 THENCE S 88°53'16" W, with the north line of the said 0.0606
 15-52 acre tract, with the south line of the tract described herein, a
 15-53 distance of 15.00 feet to a 1/2-inch iron rod with a plastic cap
 15-54 stamped "LAI" previously set for the northwest corner of the said
 15-55 0.0606 acre tract and the northeast corner of a certain called 10.00
 15-56 acre tract described in the deed to Hays Consolidated Independent
 15-57 School District of record in Volume 2029, Page 661, Official Public
 15-58 Records of Hays County, Texas, for a point-on-line in the south line
 15-59 of the tract described herein;

15-60 THENCE S 88°50'25" W, with the north line of the said 10.00
 15-61 acre tract, with the south line of the tract described herein, a
 15-62 distance of 465.45 feet to a 1/2-inch iron rod with a plastic cap
 15-63 stamped "LAI" previously set for the northern northwest corner of
 15-64 the said 10.00 acre tract, same being a point in the east line of a
 15-65 certain called 11.375 acre tract described in the deed to Plum Creek
 15-66 Development Partners, Ltd. of record in Volume 3311, Page 508,
 15-67 Official Public Records of Hays County, Texas, for a southwest
 15-68 corner of the tract described herein;

15-69 THENCE with the east, north and west lines of the said 11.375

16-1 acre tract, and the west, south and east lines of the tract
 16-2 described herein, the following five (5) courses and distances:
 16-3 1. N 00°32'48" W, a distance of 69.99 feet to a 1/2-inch iron rod
 16-4 with a plastic cap stamped "LAI" previously set for the northeast
 16-5 corner of the said 11.375 acre tract, for a re-entrant corner of the
 16-6 tract described herein,
 16-7 2. S 88°50'25" W, a distance of 360.00 feet to a 1/2-inch iron rod
 16-8 with a plastic cap stamped "LAI" previously set for the northern
 16-9 northwest corner of the said 11.375 acre tract, for a re-entrant
 16-10 corner of the tract described herein,
 16-11 3. S 01°09'35" E, a distance of 70.00 feet to a 1/2-inch iron rod
 16-12 with a plastic cap stamped "LAI" previously set for a re-entrant
 16-13 corner of the said 11.375 acre tract, for a southeast corner of the
 16-14 tract described herein,
 16-15 4. S 88°50'25" W, a distance of 563.86 feet to a 1/2-inch iron rod
 16-16 with a plastic cap stamped "LAI" previously set for the western
 16-17 northwest corner of the said 11.375 acre tract, for a re-entrant
 16-18 corner of the tract described herein, and
 16-19 5. S 00°44'56" E, a distance of 230.40 feet to a 1/2-inch iron rod
 16-20 found in the west line of the said 11.375 acre tract, at the
 16-21 intersection of the north right-of-way line of Doherty, a 70-foot
 16-22 right-of-way, and the west right-of-way line of Benner, a 70-foot
 16-23 right-of-way, as shown on the Plum Creek Phase II, Section 1A
 16-24 subdivision plat of record in Cabinet 14, Pages 225-226, Plat
 16-25 Records of Hays County, Texas, for a point in the east line of the
 16-26 tract described herein;
 16-27 THENCE S 00°44'56" E, with the west right-of-way line of said
 16-28 Benner, with an east line of the tract described herein, a distance
 16-29 of 447.86 feet to the POINT OF BEGINNING and containing 133.892
 16-30 acres of land more or less.
 16-31 BEARING BASIS: Texas Coordinate System, South Central Zone,
 16-32 NAD83, Grid.
 16-33 TRACT 7
 16-34 DESCRIPTION OF 31.441 ACRES LAND IN THE M.M. MCCARVER SURVEY
 16-35 NO. 4, ABSTRACT NO. 10, HAYS COUNTY, TEXAS; BEING A PORTION OF A
 16-36 CERTAIN CALLED 983.99 ACRE TRACT OF LAND DESIGNATED AS TRACT 2 AND
 16-37 DESCRIBED IN THE DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF
 16-38 RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS
 16-39 COUNTY, TEXAS; SAID 31.441 ACRES OF LAND AS SURVEYED BY BOWMAN
 16-40 CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES
 16-41 AND BOUNDS AS FOLLOWS:
 16-42 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
 16-43 "BCG" previously set in the north line of the said 983.99 acre tract
 16-44 and the south line of a certain tract of land described in the deed
 16-45 to Texas-Lehigh Cement Company of record in Volume 609, Page 843,
 16-46 Real Property Records of Hays County, Texas, for the northeast
 16-47 corner of a certain called 324.250 acre tract designated as Tract 1
 16-48 and described in the deed to Lennar Homes of Texas Land and
 16-49 Construction of record in Instrument No. 16029226, Official Public
 16-50 Records of Hays County, Texas, for the northwest corner and POINT OF
 16-51 BEGINNING of the tract described herein;
 16-52 THENCE N 88°09'34" E, with the north line of the said 983.99
 16-53 acre tract and the south line of the said Texas-Lehigh tract, with
 16-54 the north line of the tract described herein, at a distance of 39.77
 16-55 feet, passing a 1-1/2-inch (I.D.) iron pipe found 0.99 feet north of
 16-56 line, at a distance of 198.91 feet, passing a 1/2-inch iron rod
 16-57 found 0.45 feet north of line, and continuing for a total distance
 16-58 of 475.14 feet to a calculated point in the west line of a certain
 16-59 called 0.392 acre tract designated as Parcel 3 and described in the
 16-60 deed to the City of Kyle, Texas of record in Volume 4122, Page 86,
 16-61 Official Public Records of Hays County, Texas, being the west
 16-62 right-of-way line of Kyle Parkway (F.M. 1626), a variable-width
 16-63 right-of-way, for the northerly northeast corner of the tract
 16-64 described herein, from which a Texas Department of Transportation
 16-65 (TxDOT) Type 2 right-of-way monument (brass disk in concrete) found
 16-66 bears N 09°30' W, a distance of 0.12 feet;
 16-67 THENCE crossing the said 983.99 acre tract, with the west
 16-68 right-of-way line of said Kyle Parkway and the west line of the said
 16-69 0.392 acre tract, with the east line of the tract described herein,

17-1 the following two (2) courses and distances:

- 17-2 1. with the arc of a curve to the left, having a radius of 2,744.79
 17-3 feet, an arc distance of 572.70 feet, and a chord which bears S
 17-4 08°20'37" E, a distance of 571.66 feet to a Texas Department of
 17-5 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 17-6 concrete) found at a point-of-tangency, and
 17-7 2. S 22°18'28" E, a distance of 224.36 feet to a 1/2-inch iron rod
 17-8 with a plastic cap stamped "BCG" previously set in the west
 17-9 right-of-way line of said Kyle Parkway, same being the west line of
 17-10 a certain called 28.91 acre tract described in the dedication of
 17-11 public right-of-way to the City of Kyle, Texas of record in Volume
 17-12 4122, Page 67, Official Public Records of Hays County, Texas, for
 17-13 the south corner of the said 0.392 acre tract, for a
 17-14 point-of-curvature in the east line of the tract described herein,
 17-15 from which a Texas Department of Transportation (TxDOT) Type 2
 17-16 right-of-way monument (brass disk in concrete) found bears S 22°47'
 17-17 E, a distance of 2.10 feet;

17-18 THENCE continuing across the said 983.99 acre tract, with the
 17-19 curving west right-of-way line of said Kyle Parkway, with the west
 17-20 line of the said 28.91 acre tract, with the east line of the tract
 17-21 described herein, with the arc of a curve to the left, having a
 17-22 radius of 2964.79 feet, an arc distance of 150.32 feet, and a chord
 17-23 which bears S 19°33'47" E, a distance of 150.30 feet to a 1/2-inch
 17-24 iron rod with a plastic cap stamped "BCG" previously set for the
 17-25 north corner of a certain called 0.092 acre tract designated as
 17-26 Parcel 2 and described in the deed to the City of Kyle, Texas of
 17-27 record in Volume 4122, Page 86, Official Public Records of Hays
 17-28 County, Texas, for a point-of-tangency in the east line of the tract
 17-29 described herein, from which a Texas Department of Transportation
 17-30 (TxDOT) Type 2 right-of-way monument (brass disk in concrete) found
 17-31 bears N 17°58' W, a distance of 3.48 feet;

17-32 THENCE continuing across the said 983.99 acre tract, leaving
 17-33 the west line of the said 28.91 acre tract, with the west
 17-34 right-of-way line of said Kyle Parkway, with the west and south
 17-35 lines of the said 0.092 acre tract, and with the east line of the
 17-36 tract described herein, the following three (3) courses and
 17-37 distances:

- 17-38 1. S 17°54'50" E, a distance of 141.47 feet to a Texas Department of
 17-39 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 17-40 concrete) found at an angle point,
 17-41 2. S 21°31'34" E, a distance of 379.00 feet to a 1/2-inch iron rod
 17-42 with a plastic cap stamped "BCG" previously set for the southwest
 17-43 corner of the said 0.092 acre tract, for a re-entrant corner in the
 17-44 east line of the tract described herein, and
 17-45 3. N 68°27'09" E, a distance of 8.98 feet to a 1/2-inch iron rod
 17-46 with a plastic cap stamped "BCG" previously set in the west line of
 17-47 the said 28.91 acre tract, for the southeast corner of the said
 17-48 0.092 acre tract, for the easterly northeast corner of the tract
 17-49 described herein;

17-50 THENCE S 21°32'51" E, continuing across the said 983.99 acre
 17-51 tract, with the west right-of-way line of said Kyle Parkway, with
 17-52 the west line of the said 28.91 acre tract, with the east line of the
 17-53 tract described herein, a distance of 602.34 feet to a 1/2-inch iron
 17-54 rod with a plastic cap stamped "BCG" previously set for the north
 17-55 corner of a certain called 0.934 acre tract designated as Parcel 1
 17-56 and described in the deed to the City of Kyle, Texas of record in
 17-57 Volume 4122, Page 86, Official Public Records of Hays County,
 17-58 Texas, for an angle point in the east line of the tract described
 17-59 herein, from which a Texas Department of Transportation (TxDOT)
 17-60 Type 2 right-of-way monument (brass disk in concrete) found bears N
 17-61 17°43" W, a distance of 3.69 feet;

17-62 THENCE continuing across the said 983.99 acre tract, with the
 17-63 west right-of-way line of said Kyle Parkway, with the west line of
 17-64 the said 0.934 acre tract, with the east line of the tract described
 17-65 herein, the following two (2) courses and distances:

- 17-66 1. S 17°44'17" E, a distance of 296.83 feet to a Texas Department of
 17-67 Transportation (TxDOT) Type 2 right-of-way monument (brass disk in
 17-68 concrete) found at a point-of-curvature, and
 17-69 2. with the arc of a curve to the right, having a radius of

18-1 2,744.79 feet, an arc distance of 404.05 feet, and a chord which
 18-2 bears S 17°19'37" E, a distance of 403.69 feet to a calculated point,
 18-3 for the southeast corner of the tract described herein, from which a
 18-4 Texas Department of Transportation (TxDOT) Type 2 right-of-way
 18-5 monument (brass disk in concrete) found at a point-of-tangency in
 18-6 the west right-of-way line of said Kyle Parkway and the west line of
 18-7 the said 0.934 acre tract bears with the arc of a curve to the right,
 18-8 having a radius of 2,744.79 feet, an arc distance of 805.93 feet,
 18-9 and a chord which bears S 04°41'53" E, a distance of 803.04 feet;

18-10 THENCE S 79°43'41" W, leaving the west right-of-way line of
 18-11 said Kyle Parkway, continuing across the said 983.99 acre tract,
 18-12 with the south line of the tract described herein, a distance of
 18-13 480.94 feet to a calculated point in the curving east line of the
 18-14 said 324.250 acre tract for the southwest corner of the tract
 18-15 described herein, from which a 1/2-inch iron rod with a plastic cap
 18-16 stamped "BCG" previously set for the easterly southeast corner of
 18-17 the said 324.250 acre tract and the northeast corner of a certain
 18-18 called 2.581 acre tract designated as Tract 4 and described in the
 18-19 said deed to Lennar Homes of Texas Land and Construction of record
 18-20 in Instrument No. 16029226, Official Public Records of Hays County,
 18-21 Texas, bears with the arc of a curve to the right, having a radius of
 18-22 2,264.79 feet, an arc distance of 606.17 feet, and a chord which
 18-23 bears S 06°03'20" E, a distance of 604.37 feet;

18-24 THENCE continuing across the said 983.99 acre tract, with the
 18-25 east line of the said 324.250 acre tract, with the west line of the
 18-26 tract described herein, the following three (3) courses and
 18-27 distances:

- 18-28 1. with the arc of a curve to the left, having a radius of 2,264.79
- 18-29 feet, an arc distance of 309.28 feet, and a chord which bears N
- 18-30 17°38'07" W, a distance of 309.04 feet to a 1/2-inch iron rod
- 18-31 previously set for a point-of-tangency,
- 18-32 2. N 21°32'51" W, a distance of 1,391.43 feet to a 1/2-inch iron rod
- 18-33 with a plastic cap stamped "BCG" previously set for a
- 18-34 point-of-curvature, and
- 18-35 3. with the arc of a curve to the right, having a radius of
- 18-36 3,464.79 feet, an arc distance of 1,139.26 feet and a chord which
- 18-37 bears N 12°07'40" W, a distance of 1,134.13 feet to the POINT OF
- 18-38 BEGINNING and containing 31.441 acres of land more or less.

18-39 BEARING BASIS: Texas Coordinate System, South Central Zone,
 18-40 NAD83, Grid.

18-41 TRACT 8

18-42 DESCRIPTION OF 8.148 ACRES OF LAND IN THE JOHN COOPER SURVEY
 18-43 NO. 13, A-100 AND THE JESSE DAY SURVEY, A-152, HAYS COUNTY, TEXAS;
 18-44 BEING A PORTION OF THE REMAINDER OF A CERTAIN 849.267 ACRE TRACT
 18-45 DESCRIBED IN THE DEED TO WILLIAM NEGLEY, LIFE TENANT OF RECORD IN
 18-46 VOLUME 322, PAGE 589, DEED RECORDS OF HAYS COUNTY, TEXAS, AND ALSO
 18-47 IN THE DEED TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2047, PAGE
 18-48 133, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING A
 18-49 PORTION OF THE REMAINDER OF THAT CERTAIN CALLED 190.110 ACRE TRACT
 18-50 DESIGNATED AS TRACT II, PARCEL 2, AND DESCRIBED IN THE SUBSTITUTE
 18-51 TRUSTEE'S DEED TO PLUM CREEK DEVELOPMENT PARTNERS, LTD. OF RECORD
 18-52 IN VOLUME 4072, PAGE 566, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY,
 18-53 TEXAS; SAID 8.148 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING
 18-54 GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS
 18-55 AS FOLLOWS:

18-56 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
 18-57 "BCG" previously set in the south right-of-way line of Kohler's
 18-58 Crossing (County Road 171), a variable width right-of-way, in the
 18-59 south line of a certain called 1.252 acre tract designated as Parcel
 18-60 2, Tract 1, and described in a deed to the City of Kyle, Texas, of
 18-61 record in Volume 3218, Page 838, Official Public Records of Hays
 18-62 County, Texas, for the northeast corner of Lot 2, Block A, Plum
 18-63 Creek Phase I, Section 12A, a subdivision according to the plat of
 18-64 record in Cabinet 17, Pages 321.322, Plat Records of Hays County,
 18-65 Texas, for the northwest corner and POINT OF BEGINNING of the tract
 18-66 described herein;

18-67 THENCE N 88°49'05" E, with the south right-of-way line of said
 18-68 Kohler's Crossing (County Road 171), with the south line of the said
 18-69 1.252 acre tract, with the north line of the tract described herein,

19-1 at a distance of 296.70 feet passing a 1/2-inch iron rod with a
 19-2 plastic cap stamped "Loomis" previously set for a point-on-line in
 19-3 the north line of the tract described herein, at a distance of
 19-4 416.70 feet passing a 1/2-inch iron rod with a plastic cap stamped
 19-5 "Loomis" previously set for a point-on-line in the north line of the
 19-6 tract described herein, and continuing for a total distance of
 19-7 776.42 feet to a 1/2-inch iron rod with a plastic cap stamped
 19-8 "Loomis" previously set at the intersection of the south
 19-9 right-of-way line of said Kohler's Crossing (County Road 171) and
 19-10 the west right-of-way line of Cromwell Drive, a variable width
 19-11 right-of-way, as shown on the Plum Creek Phase I, Section 11J
 19-12 subdivision plat of record in Cabinet 17, Pages 42-43, Plat Records
 19-13 of Hays County, Texas, for the northwest corner of a certain called
 19-14 1.555 acre tract designated as Tract 1 and described in the deed to
 19-15 Plum Creek Development Partners, Ltd. of record in Volume 4576,
 19-16 Page 617, Official Public Records of Hays County, Texas, for a point
 19-17 of curvature in the north line of the tract described herein;

19-18 THENCE with the west right-of-way line of said Cromwell
 19-19 Drive, with the west line of the said 1.555 acre tract designated as
 19-20 Tract 1, with the east line of the tract described herein, the
 19-21 following four (4) courses and distances:

19-22 1. with the arc of a curve to the right, having a radius of 30.00
 19-23 feet, an arc distance of 47.12 feet, and a chord bearing S 46°10'55"
 19-24 E, a distance of 42.43 feet to a 1/2-inch iron rod with a plastic cap
 19-25 stamped "Loomis" previously set for a point-of-tangency,

19-26 2. S 01°10'55" E, a distance of 363.92 feet to a 1/2-inch iron rod
 19-27 with a plastic cap stamped "Loomis" previously set for a
 19-28 point-of-curvature,

19-29 3. with the arc of a curve to the right, having a radius of 25.00
 19-30 feet, an arc distance of 21.03 feet, and a chord bearing S 22°54'47"
 19-31 W, a distance of 20.41 feet to a 1/2-inch iron rod with a plastic cap
 19-32 stamped "Loomis" previously set for a point of reverse curvature,
 19-33 and

19-34 4. with the arc of a curve to the left, having a radius of 65.00
 19-35 feet, an arc distance of 49.61 feet, and a chord bearing S 25°08'40"
 19-36 W, a distance of 48.41 feet to a 1/2-inch iron rod with a plastic cap
 19-37 stamped "Loomis" previously set for the northeast corner of Lot 1,
 19-38 Block A, said Plum Creek Phase I, Section 11J, for the southeast
 19-39 corner of the tract described herein;

19-40 THENCE S 88°49'05" W, leaving the west right-of-way line of
 19-41 said Cromwell Drive, with the north line of said Lot 1, Block A,
 19-42 Plum Creek Phase I, Section 11J, with a north line of the said 1.555
 19-43 acre tract designated as Tract 1, with the south line of the tract
 19-44 described herein, a distance of 53.72 feet to a 1/2-inch iron rod
 19-45 with a plastic cap stamped "Loomis" previously set in the east line
 19-46 of the said 190.110 acre tract, for the west corner of the said
 19-47 1.555 acre tract designated as Tract 1, for a point-on-line in the
 19-48 south line of the tract described herein;

19-49 THENCE S 88°49'05" W, crossing the said 190.110 acre tract,
 19-50 with the north line of said Lot 1, Block A, Plum Creek Phase I,
 19-51 Section 11J, with the south line of the tract described herein, a
 19-52 distance of 597.17 feet to a 1/2-inch iron rod with a plastic cap
 19-53 stamped "Loomis" previously set for a northwest corner of said Lot
 19-54 1, Block A, Plum Creek Phase I, Section 11J, for the southerly
 19-55 southwest corner of the tract described herein;

19-56 THENCE N 01°10'55" W, crossing the said 190.110 acre tract,
 19-57 with the west line of the tract described herein, a distance of
 19-58 91.87 feet to a 1/2-inch iron rod with a plastic cap stamped
 19-59 "Loomis" previously set in the north line of the said 190.110 acre
 19-60 tract, for a re-entrant corner of the tract described herein;

19-61 THENCE S 88°50'02" W, with the north line of the said 190.110
 19-62 acre tract, with the south line of the tract described herein, a
 19-63 distance of 125.72 feet to a mag-nail previously set, for the
 19-64 westerly southwest corner of the tract described herein;

19-65 THENCE N 01°10'55" W, crossing the remainder of the said
 19-66 849.267 acre tract, with the west line of the tract described
 19-67 herein, at a distance of 71.80 feet passing a mag-nail previously
 19-68 set for the southeast corner of said Lot 2, Block A, Plum Creek
 19-69 Phase I, Section 12A, and continuing with the east line of said Lot

20-1 2, Block A, Plum Creek Phase I, Section 12A for a total distance of
 20-2 364.03 feet to the POINT OF BEGINNING and containing 8.148 acres of
 20-3 land, more or less.

20-4 BEARING BASIS: Texas Coordinate System, South Central Zone,
 20-5 NAD83, Grid.

20-6 TRACT 9

20-7 DESCRIPTION OF 15.017 ACRES OF LAND IN THE JESSE DAY SURVEY,
 20-8 A-159, HAYS COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER OF A
 20-9 CERTAIN 849.267 ACRE TRACT DESCRIBED IN THE DEED TO WILLIAM NEGLEY,
 20-10 LIFE TENANT OF RECORD IN VOLUME 322, PAGE 589, DEED RECORDS OF HAYS
 20-11 COUNTY, TEXAS, AND ALSO IN THE DEED TO MOUNTAIN PLUM, LTD. OF RECORD
 20-12 IN VOLUME 2047, PAGE 133, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY,
 20-13 TEXAS, A PORTION OF THE REMAINDER OF THAT CERTAIN CALLED 190.110
 20-14 ACRE TRACT DESIGNATED AS TRACT II, PARCEL 2, AND DESCRIBED IN THE
 20-15 SUBSTITUTE TRUSTEE'S DEED TO PLUM CREEK DEVELOPMENT PARTNERS, LTD.
 20-16 OF RECORD IN VOLUME 4072, PAGE 566, OFFICIAL PUBLIC RECORDS OF HAYS
 20-17 COUNTY, TEXAS, A PORTION OF THAT CERTAIN CALLED 1.211 ACRE TRACT
 20-18 DESIGNATED AS TRACT 1-M AND DESCRIBED IN THE DEED TO PLUM CREEK
 20-19 DEVELOPMENT PARTNERS, LTD. OF RECORD IN VOLUME 2126, PAGE 504,
 20-20 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING A PORTION
 20-21 OF A CERTAIN CALLED 5.329 ACRE TRACT DESIGNATED AS PARCEL 4 AND
 20-22 DESCRIBED IN THE DEED TO PLUM CREEK DEVELOPMENT PARTNERS, LTD. OF
 20-23 RECORD IN VOLUME 2881, PAGE 599, OFFICIAL PUBLIC RECORDS OF HAYS
 20-24 COUNTY, TEXAS; SAID 15.017 ACRES OF LAND AS SURVEYED BY BOWMAN
 20-25 CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES
 20-26 AND BOUNDS AS FOLLOWS:

20-27 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
 20-28 "Loomis" previously set at the intersection of the south
 20-29 right-of-way line of Vaughn, a 70 foot wide right-of-way, as shown
 20-30 on the Plum Creek Phase I, Section 11J subdivision plat of record in
 20-31 Cabinet 17, Pages 42-43, Plat Records of Hays County, Texas and the
 20-32 west right-of-way line of Kyle Parkway (F.M. 1626), in the west line
 20-33 of a certain called 22.83 acre tract described in the deed to the
 20-34 City of Kyle, Texas, of record in Volume 1871, Page 232, Official
 20-35 Public Records of Hays County, Texas, and corrected in Volume 1904,
 20-36 Page 813, Official Public Records of Hays County, Texas, same being
 20-37 the 22.83 acres described in the dedication of public right-of-way
 20-38 of record in Volume 4122, Page 67, Official Public Records of Hays
 20-39 County, Texas, for the southeast corner of a certain called 0.800
 20-40 acre tract designated as Tract 2 and described in the deed to Plum
 20-41 Creek Development Partners, Ltd. of record in Volume 4576, Page
 20-42 617, Official Public Records of Hays County, Texas, for a
 20-43 point-of-tangency in the east line and POINT OF BEGINNING of the
 20-44 tract described herein;

20-45 THENCE S 03°39'58" E, with the west right-of-way line of said
 20-46 Kyle Parkway (F.M. 1626) and the west line of the said 22.83 acre
 20-47 tract, with the east line of the tract described herein, a distance
 20-48 of 932.34 feet to a 1/2-inch iron rod with a plastic cap stamped
 20-49 "BCG" previously set for the northeast corner of that 2.173 acre
 20-50 tract described in the deed to L & N Group, Inc, in the deed of
 20-51 record in Volume 5098, Page 500, Official Public Records of Hays
 20-52 County, Texas, for the eastern southeast corner of the tract
 20-53 described herein, from which a 1/2-inch iron rod with a plastic cap
 20-54 stamped "LAI" previously set at the southeast corner of the said
 20-55 2.173 acre tract, being the intersection of the west right-of-way
 20-56 line of said Kyle Parkway (F.M. 1626) and the north right-of-way
 20-57 line of Dorman Lane, an 80-foot right-of-way as shown on the Plum
 20-58 Creek Phase I, Section 11A Replat of record in Cabinet 15, Pages
 20-59 80-81, Plat Records of Hays County, Texas bears S 03°39'58" E a
 20-60 distance of 298.72 feet;

20-61 THENCE leaving the west right-of-way line of said Kyle
 20-62 Parkway (F.M. 1626) and crossing the said 849.267 acre tract with
 20-63 north and west lines of the said 2.173 acre tract being the south
 20-64 and east lines of the tract described herein, the following three
 20-65 (3) courses and distances:

20-66 1. S 86°20'05" W a distance of 275.88 feet to a 1/2-inch iron rod
 20-67 stamped "BCG" previously set for the northwest corner of the said
 20-68 2.173 acre tract and a re-entrant corner of the tract described
 20-69 herein,

21-1 2. S 03°04'03" E a distance of 326.54 feet to a 1/2-inch iron rod
 21-2 stamped "BCG" previously set for a point-of-curvature, and
 21-3 3. with the arc of a curve to the left, having a radius of 24.50
 21-4 feet, an arc distance of 15.47 feet, and a chord bearing S 21°11'51"
 21-5 E, a distance of 15.21 feet to a 1/2-inch iron rod stamped "BCG"
 21-6 previously set in the north right-of-way line of said Dorman Lane,
 21-7 for the southwest corner of the said 2.173 acre tract, and the
 21-8 southerly southeast corner of the tract described herein;
 21-9 THENCE S 87°00'20" W with the north right-of-way line of said
 21-10 Dorman Lane a distance of 178.89 feet to a 1/2-inch iron rod with a
 21-11 plastic cap stamped "Loomis" previously set for a
 21-12 point-of-curvature in the north line of the said 5.329 acre tract;
 21-13 THENCE crossing the said 5.329 acre tract, with the north
 21-14 right-of-way line of said Dorman Lane, with the south line of the
 21-15 tract described herein, and with the east right-of-way line of
 21-16 Cromwell Drive, a variable-width right-of-way, as shown on the said
 21-17 Plum Creek Phase I, Section 11A Replat, and with the east line of
 21-18 the tract described herein, the following four (4) courses and
 21-19 distances:
 21-20 1. S 87°00'20" W, a distance of 80.00 feet to a 1/2-inch iron rod
 21-21 with a plastic cap stamped "Rangerland Surveying" found at a
 21-22 point-of-curvature in the north right-of-way line of said Dorman
 21-23 Lane,
 21-24 2. with the arc of a curve to the right, having a radius of 25.00
 21-25 feet, an arc distance of 21.58 feet, and a chord bearing N 68°15'55"
 21-26 W, a distance of 20.92 feet to a 1/2-inch iron rod with a plastic cap
 21-27 stamped "Loomis" previously set for a point-of-reverse curvature,
 21-28 3. with the arc of a curve to the left, having a radius of 75.00
 21-29 feet, an arc distance of 21.06 feet, and a chord bearing N 51°34'54"
 21-30 W, a distance of 20.99 feet to a 1/2-inch iron rod with a plastic cap
 21-31 stamped "Rangerland Surveying" found at a point-of-reverse
 21-32 curvature, and
 21-33 4. with the arc of a curve to the right, having a radius of 25.00
 21-34 feet, an arc distance of 4.57 feet, and a chord bearing N 54°23'28"
 21-35 W, a distance of 4.56 feet to a 1/2-inch iron rod with a plastic cap
 21-36 stamped "Loomis" previously set in the west line of the said 5.329
 21-37 acre tract and the east right-of-way line of said Cromwell Drive;
 21-38 THENCE with the curving east right-of-way line of said
 21-39 Cromwell Drive, with the arc of a curve to the right, having a
 21-40 radius of 25.00 feet, an arc distance of 20.14 feet, and a chord
 21-41 bearing N 26°04'29" W, a distance of 19.60 feet to a 1/2-inch iron
 21-42 rod with a plastic cap stamped "BCG" previously set at the northeast
 21-43 terminus of said Cromwell Drive, as shown on the said Plum Creek
 21-44 Phase 1, Section 11A Replat;
 21-45 THENCE crossing the remainder of the said 849.267 acre tract,
 21-46 with the west line of the tract described herein, the following ten
 21-47 (10) courses and distances:
 21-48 1. N 02°59'40" W, a distance of 320.00 feet to a 1/2-inch iron rod
 21-49 with a plastic cap stamped "Loomis" previously set;
 21-50 2. N 02°59'40" W, a distance of 268.15 feet to a 1/2-inch iron rod
 21-51 with a plastic cap stamped "Loomis" previously set for a
 21-52 point-of-curvature,
 21-53 3. with the arc of a curve to the right, having a radius of 25.00
 21-54 feet, an arc distance of 22.83 feet, and a chord bearing N 23°10'14"
 21-55 E, a distance of 22.05 feet to a 1/2-inch iron rod with a plastic cap
 21-56 stamped "Loomis" previously set for a point-of-reverse curvature,
 21-57 4. with the arc of a curve to the left, having a radius of 65.00
 21-58 feet, an arc distance of 21.84 feet, and a chord bearing N 39°42'34"
 21-59 E, a distance of 21.74 feet to a 1/2-inch iron rod with a plastic cap
 21-60 stamped "BCG" previously set for a point-of-reverse curvature,
 21-61 5. with the arc of a curve to the right, having a radius of 25.00
 21-62 feet, an arc distance of 24.54 feet, and a chord bearing N 58°12'31"
 21-63 E, a distance of 23.57 feet to a 1/2-inch iron rod with a plastic cap
 21-64 stamped "Loomis" previously set for a re-entrant corner,
 21-65 6. N 03°39'58" W, a distance of 50.00 feet to a 1/2-inch iron rod
 21-66 with a plastic cap stamped "Loomis" previously set for a point of
 21-67 non-tangent curvature,
 21-68 7. with the arc of a curve to the right, having a radius of 25.00
 21-69 feet, an arc distance of 24.54 feet, and a chord bearing N 65°32'26"

22-1 W, a distance of 23.57 feet to a 1/2-inch iron rod with a plastic cap
 22-2 stamped "BCG" previously set for a point-of-reverse curvature,
 22-3 8. with the arc of a curve to the left, having a radius of 65.00
 22-4 feet, an arc distance of 23.64 feet, and a chord bearing N 47°50'00"
 22-5 W, a distance of 23.51 feet to a 1/2-inch iron rod with a plastic cap
 22-6 stamped "Loomis" previously set for a point-of-reverse curvature,
 22-7 9. with the arc of a curve to the right, having a radius of 25.00
 22-8 feet, an arc distance of 22.83 feet, and a chord bearing N 32°05'12"
 22-9 W, a distance of 22.05 feet to a 1/2-inch iron rod with a plastic cap
 22-10 stamped "Loomis" previously set for a point-of-tangency, and
 22-11 10. N 05°55'18" W, a distance of 84.76 feet to a 1/2-inch iron rod
 22-12 with a plastic cap stamped "Loomis" previously set in the southeast
 22-13 line of the said 190.110 acre tract and the south line of the said
 22-14 1.211 acre tract, for a point in the west line of the tract
 22-15 described herein;

22-16 THENCE N 05°55'18" W, crossing the said 190.110 acre tract and
 22-17 the said 1.211 acre tract, with the west line of the tract described
 22-18 herein, a distance of 109.37 feet to a 1/2-inch iron rod with a
 22-19 plastic cap stamped "Loomis" previously set in the northwest line
 22-20 of the said 1.211 acre tract, for a point-on-line in the west line
 22-21 of the tract described herein;

22-22 THENCE N 05°55'18" W, continuing across the said 190.110 acre
 22-23 tract, with the west line of the tract describe herein, a distance
 22-24 of 283.18 feet to a 1/2-inch iron rod with a plastic cap stamped
 22-25 "Loomis" previously set for the southeast terminus of Cromwell
 22-26 Drive, as shown on the said Plum Creek Phase I, Section 11J
 22-27 subdivision plat, for a point-of-curvature in the west line of the
 22-28 tract described herein;

22-29 THENCE with the east right-of-way line of said Cromwell
 22-30 Drive, with the west line of the tract described herein, and with
 22-31 the south right-of-way line of said Vaughn and the north line of the
 22-32 tract described herein, the following four (4) courses and
 22-33 distances:

22-34 1. with the arc of a curve to the right, having a radius of 25.00
 22-35 feet, an arc distance of 24.71 feet, and a chord bearing N 22°23'41"
 22-36 E, a distance of 23.72 feet to a 1/2-inch iron rod with a plastic cap
 22-37 stamped "Loomis" previously set for a point of reverse curvature,
 22-38 2. with the arc of a curve to the left, having a radius of 75.00
 22-39 feet, an arc distance of 22.92, and a chord bearing N 41°57'27" E, a
 22-40 distance of 22.83 feet to a 1/2-inch iron rod with a plastic cap
 22-41 stamped "Loomis" previously set for a point of reverse curvature,
 22-42 3. with the arc of a curve to the right, having a radius of 25.00
 22-43 feet, an arc distance of 23.18 feet, and a chord bearing N 59°46'08"
 22-44 E, a distance of 22.36 feet to a 1/2-inch iron rod with a plastic cap
 22-45 stamped "Loomis" previously set for a point-of-tangency, and
 22-46 4. N 86°20'02" E, a distance of 50.00 feet to a 1/2-inch iron rod
 22-47 with a plastic cap stamped "BCG" previously set in the west line of
 22-48 the said 1.211 acre tract, for a point in the north line of the tract
 22-49 described herein;

22-50 THENCE N 86°20'02" E, crossing the said 1.211 acre tract, with
 22-51 the south right-of-way line of said Vaughn, a distance of 17.26 feet
 22-52 to a 1/2-inch iron rod with a plastic cap stamped "BCG" previously
 22-53 set in the east line of the said 1.211 acre tract, for the southwest
 22-54 corner of the said 0.800 acre tract, for a point in the north line of
 22-55 the tract described herein;

22-56 THENCE with the south right-of-way line of said Vaughn, with
 22-57 the north line of the tract described herein, the following two (2)
 22-58 courses and distances:

22-59 1. N 86°20'02" E, a distance of 448.95 feet to a 1/2-inch iron rod
 22-60 with a plastic cap stamped "Loomis" previously set for a
 22-61 point-of-curvature, and
 22-62 2. with the arc of a curve to the right, having a radius of 30.00
 22-63 feet, an arc distance of 47.12 feet, and a chord bearing S 48°39'58"
 22-64 E, a distance of 42.43 feet to the POINT OF BEGINNING and containing
 22-65 15.017 acres of land, more or less.

22-66 BEARING BASIS: Texas Coordinate System, South Central Zone,
 22-67 NAD83, Grid.

22-68 TRACT 10

22-69 DESCRIPTION OF 15.757 ACRES OF LAND IN THE JOHN COOPER SURVEY

23-1 NO. 13, A-100, THE JESSE DAY SURVEY, A-152, AND THE JESSE DAY
 23-2 SURVEY, A-159, HAYS COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER
 23-3 OF A CERTAIN 849.267 ACRE TRACT DESCRIBED IN THE DEED TO WILLIAM
 23-4 NEGLEY, LIFE TENANT OF RECORD IN VOLUME 322, PAGE 589, DEED RECORDS
 23-5 OF HAYS COUNTY, TEXAS, AND ALSO IN THE DEED TO MOUNTAIN PLUM, LTD.
 23-6 OF RECORD IN VOLUME 2047, PAGE 133, OFFICIAL PUBLIC RECORDS OF HAYS
 23-7 COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF THAT CERTAIN
 23-8 CALLED 190.110 ACRE TRACT DESIGNATED AS TRACT II, PARCEL 2, AND
 23-9 DESCRIBED IN THE SUBSTITUTE TRUSTEE'S DEED TO PLUM CREEK
 23-10 DEVELOPMENT PARTNERS, LTD. OF RECORD IN VOLUME 4072, PAGE 566,
 23-11 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 15.757 ACRES OF
 23-12 LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD., BEING MORE
 23-13 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

23-14 BEGINNING at a 1/2-inch iron rod with a plastic cap stamped
 23-15 "Loomis" previously set in the south line of a certain called 1.252
 23-16 acre tract designated as Parcel 2, Tract 1, and described in a deed
 23-17 to the City of Kyle, Texas, of record in Volume 3218, Page 838,
 23-18 Official Public Records of Hays County, Texas, at the intersection
 23-19 of the south right-of-way line of Kohler's Crossing (County Road
 23-20 171), a variable width right-of-way, and the east right-of-way line
 23-21 of Cromwell Drive, a variable width right-of-way, as shown on the
 23-22 Plum Creek Phase I, Section 11J subdivision plat of record in
 23-23 Cabinet 17, Pages 42-43, Plat Records of Hays County, Texas, for the
 23-24 northeast corner of a certain called 1.555 acre tract designated as
 23-25 Tract 1 and described in the deed to Plum Creek Development
 23-26 Partners, Ltd. of record in Volume 4576, Page 617, Official Public
 23-27 Records of Hays County, Texas, for a point-of-tangency in the north
 23-28 line and POINT OF BEGINNING of the tract described herein;

23-29 THENCE N 88°49'05" E, leaving the east right-of-way line of
 23-30 said Cromwell Drive, with the south right-of-way line of said
 23-31 Kohler's Crossing (County Road 171), with the south line of the said
 23-32 1.252 acre tract, and with the north line of the tract described
 23-33 herein, a distance of 551.66 feet to a 1/2-inch iron rod with a
 23-34 plastic cap stamped "LAI" previously set at the intersection of the
 23-35 south right-of-way line of said Kohler's Crossing (County Road 171)
 23-36 with the west right-of-way line of Kyle Parkway (F.M. 1626) in the
 23-37 west line of a certain called 22.83 acre tract described in the deed
 23-38 to the City of Kyle, Texas, of record in Volume 1871, Page 232,
 23-39 Official Public Records of Hays County, Texas, and corrected in
 23-40 Volume 1904, Page 813, Official Public Records of Hays County,
 23-41 Texas, same being the 22.83 acres described in the dedication of
 23-42 public right-of-way of record in Volume 4122, Page 67, Official
 23-43 Public Records of Hays County, Texas, for the southeast corner of
 23-44 the said 1.252 acre tract and for a northeast corner of the tract
 23-45 described herein;

23-46 THENCE S 46°17'09" E, with the west right-of-way line of Kyle
 23-47 Parkway (F.M. 1626) and the west line of the said 22.83 acre tract,
 23-48 with the east line of the tract described herein a distance of 27.38
 23-49 feet to a 1/2-inch iron rod with a plastic cap stamped "LAI"
 23-50 previously set for an angle point in the west line of said Kyle
 23-51 Parkway (F.M. 1626) and the west line of the said 22.83 acre tract,
 23-52 for an angle point in the east line of the tract described herein;

23-53 THENCE S 03°39'58" E, with the west right-of-way line of said
 23-54 Kyle Parkway (F.M. 1626) and the west line of the said 22.83 acre
 23-55 tract, with the east line of the tract described herein, at a
 23-56 distance of 374.01 feet passing a 1/2-inch iron rod with a plastic
 23-57 cap stamped "Loomis" previously set for a point-on-line, at a
 23-58 distance of 484.01 feet passing a 1/2-inch iron rod with a plastic
 23-59 cap stamped "Loomis" previously set for a point-on-line, and
 23-60 continuing for a total distance of 1,069.26 feet to a 1/2-inch iron
 23-61 rod with a plastic cap stamped "Loomis" previously set for the
 23-62 intersection of the west right-of-way line of said Kyle Parkway
 23-63 (F.M. 1626) and the north right-of-way line of Vaughn, a 70-foot
 23-64 right-of-way, as shown on the said Plum Creek Phase I, Section 11J
 23-65 subdivision plat, for the northeast corner of a certain called
 23-66 0.800 acre tract designated as Tract 2 and described in said deed to
 23-67 Plum Creek Development Partners of record in Volume 4576, Page 617,
 23-68 Official Public Records of Hays County, Texas, for a
 23-69 point-of-curvature in the east line of the tract described herein;

24-1 THENCE leaving the west right-of-way line of said Kyle
 24-2 Parkway (F.M. 1626) and the west line of the said 22.83 acre tract,
 24-3 with the curving north right-of-way line of said Vaughn, with the
 24-4 north line of the said 0.800 acre tract, and with the south line of
 24-5 the tract described herein, with the arc of a curve to the right,
 24-6 having a radius of 30.00 feet, an arc distance of 47.12 feet, and a
 24-7 chord bearing S 41°20'02'' W, a distance of 42.43 feet to a 1/2-inch
 24-8 iron rod with a plastic cap stamped "Loomis" previously set for a
 24-9 point-of-tangency;

24-10 THENCE S 86°20'02'' W, continuing with the north right-of-way
 24-11 line of said Vaughn, with the north line of the said 0.800 acre
 24-12 tract, and with the south line of the tract described herein, a
 24-13 distance of 475.81 feet to a 1/2-inch iron rod with a plastic cap
 24-14 stamped "Loomis" previously set in the east line of the said 190.110
 24-15 acre tract, for a point-on-line in the south line of the tract
 24-16 described herein;

24-17 THENCE crossing the said 190.110 acre tract, with the north
 24-18 right-of-way line of said Vaughn and with the south line of the
 24-19 tract described herein, with the east right-of-way line of said
 24-20 Cromwell Drive and with the west line of the tract described herein,
 24-21 the following five (5) courses and distances:

24-22 1. S 86°20'02'' W, a distance of 40.40 feet to a 1/2-inch iron rod
 24-23 with a plastic cap stamped "Loomis" previously set for a
 24-24 point-of-curvature,
 24-25 2. with the arc of a curve to the right, having a radius of 25.00
 24-26 feet, an arc distance of 23.18 feet, and a chord bearing N 67°06'03''
 24-27 W, a distance of 22.36 feet to a 1/2-inch iron rod with a plastic cap
 24-28 stamped "Loomis" previously set for a point-of-reverse-curvature,
 24-29 3. with the arc of a curve to the left, having a radius of 75.00
 24-30 feet, an arc distance of 28.82 feet, and a chord bearing N 51°32'43''
 24-31 W, a distance of 28.65 feet to a 1/2-inch iron rod with a plastic cap
 24-32 stamped "Loomis" previously set for a point-of-reverse-curvature,
 24-33 4. with the arc of a curve to the right, having a radius of 25.00
 24-34 feet, an arc distance of 24.71 feet, and a chord bearing N 34°14'18''
 24-35 W, a distance of 23.72 feet to a 1/2-inch iron rod with a plastic cap
 24-36 stamped "Loomis" previously set for a point-of-tangency, and
 24-37 5. N 05°55'18'' W, a distance of 217.01 feet to a 1/2-inch iron rod
 24-38 with a plastic cap stamped "Loomis" previously set in the east line
 24-39 of the said 190.110 acre tract, for the south corner of the said
 24-40 1.555 acre tract, for a point-on-line in the west line of the tract
 24-41 described herein;

24-42 THENCE crossing the remainder of the said 849.267, with the
 24-43 east right-of-way line of said Cromwell Drive, with the east line of
 24-44 the said 1.555 acre tract, with the west line of the tract described
 24-45 herein, the following ten (10) courses and distances:

24-46 1. N 05°55'18'' W, a distance of 349.36 feet to a 1/2-inch iron rod
 24-47 with a plastic cap stamped "Loomis" previously set for a
 24-48 point-of-curvature,
 24-49 2. with the arc of a curve to the right, having a radius of 25.00
 24-50 feet, an arc distance of 22.83 feet, and a chord bearing N 20°14'36''
 24-51 E, a distance of 22.05 feet to a 1/2-inch iron rod with a plastic cap
 24-52 stamped "Loomis" previously set for a point-of-reverse-curvature,
 24-53 3. with the arc of a curve to the left, having a radius of 65.00
 24-54 feet, an arc distance of 15.70 feet, and a chord bearing N 39°29'16''
 24-55 E, a distance of 15.66 feet to a 1/2-inch iron rod with a plastic cap
 24-56 stamped "Loomis" previously set for a point-of-reverse-curvature,
 24-57 4. with the arc of a curve to the right, having a radius of 25.00
 24-58 feet, an arc distance of 24.54 feet, and a chord bearing N 60°41'33''
 24-59 E, a distance of 23.57 feet to a 1/2-inch iron rod with a plastic cap
 24-60 stamped "Loomis" previously set for a re-entrant corner,
 24-61 5. N 01°10'55'' W, a distance of 50.00 feet to a 1/2-inch iron rod
 24-62 with a plastic cap stamped "Loomis" previously set for a point of
 24-63 non-tangent curvature,
 24-64 6. with the arc of a curve to the right, having a radius of 25.00
 24-65 feet, an arc distance of 24.54 feet, and a chord bearing N 63°03'23''
 24-66 W, a distance of 23.57 feet to a 1/2-inch iron rod with a plastic cap
 24-67 stamped "Loomis" previously set for a point-of-reverse-curvature,
 24-68 7. with the arc of a curve to the left, having a radius of 65.00
 24-69 feet, an arc distance of 16.38 feet, and a chord bearing N 42°09'04''

25-1 W, a distance of 16.34 feet to a 1/2-inch iron rod with a plastic cap
 25-2 stamped "Loomis" previously set for a point-of-reverse-curvature,
 25-3 8. with the arc of a curve to the right, having a radius of 25.00
 25-4 feet, an arc distance of 21.03 feet, and a chord bearing N 25°16'36"
 25-5 W, a distance of 20.41 feet to a 1/2-inch iron rod with a plastic cap
 25-6 stamped "Loomis" previously set for a point-of-tangency,
 25-7 9. N 01°10'55" W, a distance of 363.92 feet to a 1/2-inch iron rod
 25-8 with a plastic cap stamped "Loomis" previously set for a
 25-9 point-of-curvature, and
 25-10 10. with the arc of a curve to the right, having a radius of 30.00
 25-11 feet, an arc distance of 41.12 feet, and a chord bearing N 43°49'05"
 25-12 E, a distance of 42.43 feet to the POINT OF BEGINNING and containing
 25-13 15.757 acres of land, more or less.

25-14 BEARING BASIS: Texas Coordinate System, South Central Zone,
 25-15 NAD83, Grid.

25-16 SECTION 3. (a) The legal notice of the intention to
 25-17 introduce this Act, setting forth the general substance of this
 25-18 Act, has been published as provided by law, and the notice and a
 25-19 copy of this Act have been furnished to all persons, agencies,
 25-20 officials, or entities to which they are required to be furnished
 25-21 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 25-22 Government Code.

25-23 (b) The governor, one of the required recipients, has
 25-24 submitted the notice and Act to the Texas Commission on
 25-25 Environmental Quality.

25-26 (c) The Texas Commission on Environmental Quality has filed
 25-27 its recommendations relating to this Act with the governor, the
 25-28 lieutenant governor, and the speaker of the house of
 25-29 representatives within the required time.

25-30 (d) All requirements of the constitution and laws of this
 25-31 state and the rules and procedures of the legislature with respect
 25-32 to the notice, introduction, and passage of this Act are fulfilled
 25-33 and accomplished.

25-34 SECTION 4. (a) If this Act does not receive a two-thirds
 25-35 vote of all the members elected to each house, Subchapter C, Chapter
 25-36 7988, Special District Local Laws Code, as added by Section 1 of
 25-37 this Act, is amended by adding Section 7988.107 to read as follows:

25-38 Sec. 7988.107. NO EMINENT DOMAIN POWER. The district may
 25-39 not exercise the power of eminent domain.

25-40 (b) This section is not intended to be an expression of a
 25-41 legislative interpretation of the requirements of Section 17(c),
 25-42 Article I, Texas Constitution.

25-43 SECTION 5. This Act takes effect immediately if it receives
 25-44 a vote of two-thirds of all the members elected to each house, as
 25-45 provided by Section 39, Article III, Texas Constitution. If this
 25-46 Act does not receive the vote necessary for immediate effect, this
 25-47 Act takes effect September 1, 2017.

25-48

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